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21

United Nations team engaged in demining operations in the Jaffna peninsula, June 2002 (top);

Veteran Tamil politician and president of the Tamil United Liberation Front who died at the age of 79 (left);

Queen Elizabeth visited the Hindu Murugan temple in Highgate in London as part of her Golden Jubilee celebrations (below)

We regret that the May 2002 issue of Tamil Times could not be brought out in time because our printers moved premises that caused unexpected delay. As a consequence, a combined May-June 2002 issue appears with increased pages.

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-Voltaire

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Choosing the Path of Peace

There are those who have already begun to gleefully predict a breakdown of the ongoing peace process in Sri Lanka. Their doom and gloom scenario is based on their own political positions and attitudes to the issue of war and peace. Among them, falling into the first category, are those who harbour almost a pathological hatred to any negotiations between the government and the LTTE. They do not have any faith in a peaceful resolution of the ethnic conflict. They even deny the existence of an ethnic conflict in the island. They ardently advocate a military solution without giving a thought to the fact such a course attempted during the last twenty years has brought the country to its knees without producing a solution any nearer.

Then, there are those, falling into the second category, who honestly desire a negotiated solution, but have a particular perspective in the context of the LTTE's declared political objective. They believe that with its unshakable commitment to the establishment of a separate state, which it has so far failed to abandon or compromise on, arriving at a negotiated political solution with the LTTE is virtually out of the question. To them, the recently publicly articulated differences between the government's and LTTE's positions on certain issues concerning the ceasefire and the proposed peace talks in Thailand are only the beginnings of the eventual breakdown which they devoutly predict.

Then there are the others who are committed to the belief that there is only one way to bring about an end to the war and usher in peace to Sri Lanka and all its people, and that is only through negotiations among the concerned parties. To them, reconciliation has to be sought in spite of irreconcilable positions to which parties may be committed. Compromise can and must be reached irrespective of contradictory views the parties may hold on what they consider as vital questions. To them, there are no two options, peace or war. There is only one option, that is peace, and war as an option is banished out of choice and deep conviction gained through experience.

Despite the purveyors of doom and gloom about the peace process, there is already evidence that the people have begun to immensely benefit from the state of non-war brought about firstly by the unofficial cessation of hostilities followed by the formal ceasefire agreement between the government and the LTTE. Given that an average of 15 to 20 persons, including combatants on both sides, were being killed daily, an estimated 2000 persons would have by now been dead had the war continued without interruption. The death and destruction brought about by aerial bombardments, fierce fighting on the ground and suicide bomb attacks have all come to an end. In Colombo and its sub-urban areas, the barricades, checkpoints and sandbag emplacements have disappeared producing a relaxed atmosphere of safety and security. The economic blockade has been lifted and the resumption of the supply and transport of goods to the war-torn areas of the island, including those under LTTE control, have brought great relief to the long suffering people.

With the opening up of the highway that connects Jaffna peninsula to the mainland and the resumption of air services, tens of thousands of people have begun to freely travel and move between the north and the south. The government and its leaders have got the opportunity to spend their time and apply their energies to the real task of governance and management of the economy without having in addition to finance and manage an ongoing self-destructive war. If the effects of a state of non-war lasting only for a few months are so beneficial, the dividends that remain to be achieved through lasting peace are immense.

As for the LTTE, it has been presented with an opportunity to emerge from its military bunkers into the open political arena. Signaling this emergence from the 'underground' was the appearance of the leader of the LTTE, Velupillai Pirabaharan, before an audience of over 300 international journalists at a media conference in April this year. For the first time in its history, pursuant to the ceasefire agreement, the LTTE has been allowed and has now got the opportunity to carry out open political work and set up its offices throughout the north and east including government controlled areas. The LTTE leadership has been engaged in negotiations with the other Tamil political parties comprising the Tamil National Alliance. Its discussions with Ceylon Workers Congress leader, Arumugam Thondaman, and Sri Lanka Muslim Congress leader, Rauf Hakeem, and the promise of future cooperation with these parties have been described as signifying the "opening up" of the LTTE. Though the LTTE remains proscribed in a strict legal sense, the proscription has already been rendered ineffective in a de facto sense. In addition to the fact that the LTTE's political offices are openly functioning in government controlled areas, including Batticaloa, Tricomalee, Vavuniya, Mannar and Jaffna, the government through some its cabinet Ministers and officials has been engaged in direct negotiations with the LTTE at the level of its leadership even before formal political negotiations expected to commence in Bangkok in the near future.

Fixing of the date for the Bangkok talks between the Government and the LTTE has been unduly delayed, and this is attributed to certain problems relating to compliance with obligations of the parties under the agreement of ceasefire. Subscribing to an irrevocable commitment to the path of peace through negotiations and eschewing the use of violence, the parties should iron out whatever these problems are and commence negotiations at the earliest. The favourable climate and the fund of popular support for the peace process among all communities that presently prevails in the country must not be allowed to be squandered or dissipated by the passage of time.

Talking to the LTTE: India has not stopped us

- Ranil

COLOMBO June 8. Ever since assuming office last December, the Prime Minister of Sri Lanka, Ranil Wickremesinghe, has made it clear that India is vital to his policies, both for the country's ongoing peace process and for the development of its economy. On Sunday, Mr. Wickremesinghe begins a three-day official visit to India. Prior to his departure,' he spoke exclusively to ***Nirupama Subramanian*** *of 'The Hindu' on a range of issues. Following are excerpts from the interview:*

Nirupama Subramanian: *Prime Minister, you are going to India within six months of your last visit. What takes you there at this point?*

Ranil Wickremesinghe: I had told Prime Minister, Atal Behari Vajpayee that I would brief him again on the situation in Sri Lanka when we had finished implementing the ceasefire agreement provisions after three months, and before talks started. Since I planned to visit Bangalore, this was a good opportunity to visit Delhi and meet him.

NS: *You are in the midst of a peace process with the LTTE. How do you see India's views on the LTTE and the status of it leader as a wanted man in India impacting on your peace process?*

RW: That has always been there. At the same time, the Indian Government and political parties have encouraged the peace process in Sri Lanka. It is for us to make headway first in Sri Lanka. India has already given us its support.

NS: *But don't you think the two are contradictory: on the one hand, encouraging your peace process with the LTTE, on the other, not relenting on the LTTE or Prabakaran?*

RW: If they encourage the peace process, India is encouraging a process that involves talking to the LTTE. But the reality of Indian politics is that the LTTE has been a subject of litigation in their courts, and the question of extradition of Prabakaran keeps coming up. In politics, there is always an element of contradiction.

But all this is on the basis of the present situation. Let us see what happens when we make progress. India has not told us not to make progress, not told us not to talk to the LTTE. And I think, when we make progress, we will find that India will not discourage us.

There is also the domestic political scene, parties take up their positions for domestic reasons.

NS: *Do you think India will be supportive of your proposal for an interim administration in the north-east run by the LTTE?*

RW: The idea of the interim administration has been around for a long time and India has accepted the fact that there has to be an interim administration. The composition of the interim administration is a matter for the Sri Lankan Government to discuss with Sri Lankan political parties and the LTTE. In fact, the interim administration is going to be one of the major items on the agenda for talks with the LTTE.

NS: *The LTTE has expressed concern at your statement in the European Parliament that you want to link discussions on the interim administration with core political issues.*

RW: I don't think I used the word "core political issues'', but while the interim administration will be the main item for discussion on the agenda, other issues will crop up during discussions.

NS: *It does seem as if the LTTE is dragging its feet on talks by not giving you firm dates yet. You were saying peace talks at the end of June, first it was supposed to be mid-May, now it may not be before July...*

RW: I don't think we should pass judgment on such issues. Let the Norwegians come back to us.

They are hoping it will be in July, and have asked us to keep ourselves available. We are ready to come in whenever it begins.

NS: *How about the LTTE demand for lifting the ban on it before the commencement of talks?*

RW: Once the date for the talks is announced, we can lift the ban, may be 10 days before.

NS: *Your strategy seems to be to put pressure on the LTTE to agree to a date for talks by holding out the reward of deproscription.*

RW: I think for the first time, we have built up a consensus in the country in favour of deproscription. We have to build on that. In any case, we have to fix dates for the talks first, I think. That seems to be the most sensible way to do it. As someone said, I have to sell this to the south.

NS: *The LTTE has said the peace process is at an impasse because you have not lifted the ban on it yet, and it has complained about the non-implementation of certain provisions in the ceaaefire agreement. Would you agree with its assessment?*

RW: That view has not been conveyed to me through the facilitators. If I keep replying to what is there in the papers, this process would have broken down long ago.

The MoU (ceasefire agreement) has been implemented to the D+90 level (90 days from the start of the truce). All the issues raised by the LTTE are being looked at by the Sri Lanka Monitoring Mission.

For the first time, you have got a big change in the life of the people not only in the north and east, but in the south as well. And the whole process is moving forward, it has not got stuck anywhere.

NS: *Coming back to India, one of your Ministers said recently that your Government's decision to lease the Trincomalee oil tanks to the Indian Oil Corporation (IOC) would serve Sri Lanka's security interests. Is there a security dimension to this decision?*

RW: There are two reasons: why we decided to give it to IOC. One, Sri Lanka is removing the monopoly on oil distribution and since IOC was interested, it was good to have a source of oil nearby. Second, the rupee fluctuates under the pressure of oil prices, so when we have Indian Oil or one or two others here, that burden will not be borne by the Government.

NS: *But there is speculation that this has been done to present LTTE with a fait accompli on Trincomalee, to establish the Government's hold over Trincomalee.*

(continued on next page)

Impasse in Talks, Govt. to Blame

- Anton Balasingham

June 5 - The London-based political advisor and chief negotiator of the Liberation Tigers of Tamil Eelam (LTTE), Mr Anton Balasingham, has blamed the Sri Lankan government for what he described as the present "impasse" in the Sri Lankan peace process accusing Prime Minister Ranil Wickremasinghe's government of dragging its feet on the issue of d-eproscription of the LTTE and backtracking on the issue of setting up an interim administration for the northeast of the island. He also alleged that President Chandrika Kumaratunga had a "hawkish attitude" and a "pathological hatred for the LTTE".

The following are extracts from Mr. Balasingham's interview with the Tamil Guardian published from London:

"As a party to the cease-fire agreement, we are unhappy that some of the terms and conditions as well as some measures aimed at creating normalcy in Tamil areas are not fully implemented. The military personnel are still occupying temples, schools, colleges and public buildings in defiance of the timeframes stipulated in the truce."

"The reluctance shown by the Sinhala armed forces to vacate these places of worship has angered the Tamil people and is destroying their confidence in the peace process."

"The cease-fire document stipulates that unarmed LTTE members will be permitted freedom of movement in the northeast for political activities. But the Sri Lanka government has imposed stringent conditions for the freedom of movement of our cadres in the islets off Jaffna where 35,000 Tamils live..... Similarly the Sri Lankan navy is refusing to remove all restrictions on fishing even after the timeframe of 90 days has lapsed which continues to affect seriously the conditions of existence of our fishermen."

"The non-implementation of the terms and conditions of the cease-fire is causing delay in the resumption of peace negotiations. A proper and systematic de-escalation of the conflict and the restoration of normalcy in the war affected Tamil region which are essential pre-requisites for peace negotiations, can only be realised by the smooth implementation of the truce agreement."

"We are disappointed over the lack of concern and inclination on the part of the Sri Lankan government in the process of de-escalation and stabilisation of peace, which is seriously undermining the confidence of our people in the peace process."

"We are well aware that President Kumaratunga is deadly opposed to the terms and conditions of the cease-fire as well as for confidence building measures aimed at de-escalation and restoration of normalcy..... She has a pathological hatred for the LTTE and is opposed to a negotiated political settlement with the LTTE. ... In view of her ultra-nationalist and hawkish attitude on the Tamil national question, one can safely assume that President Kumaratunga is capable of creating difficulties for the current peace process. But as far as we are concerned this is a problem of co-habitation between Ranil's administration and the Presidency."

"We are deeply disappointed to note that Mr Ranil Wickramasinghe is backtracking on the crucial issues of de-proscription and interim administration. President Kumaratunga may have prevailed upon Ranil to take a hard-line attitude towards the LTTE. ... The intervention of Kumaratunga and her misguided strategy of imposing unacceptable pre-conditions have definitely slowed down the peace process and generated a state of impasse."

"We anticipated that Ranil's administration would take a bold step to de-proscribe our organisation to satisfy the aspirations of the Tamils and to promote the peace process. But we are disappointed to note that the government has imposed a pre-condition linking the date for the commencement of talks with the possible de-proscription."

"Ranil's government has also shifted its original position with regard to the proposal to establish an interim administration in the northeast to facilitate the LTTE to enter into the democratic political mainstream. Chandrika seems to have successfully impressed upon Ranil to consider the interim administration only after finding a permanent resolution to the contentious core issues underlying the ethnic conflict, a theme that she persistently adopted and miserably failed."

"Mr Wickramasinghe, who openly campaigned for the establishment of the interim administration and got the mandate from the people in the parliamentary elections, has reneged from his position. He now proposes that core

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(Continued from page 4)

RW: The lease to Indian Oil has to be looked at in the context of the overall Indo-Lanka relations. It is essential for the development of Trincomalee as a port, and under the Indo-Lanka agreement, we had a commitment to develop the oil tank farm jointly. This is meant to develop Trincomalee as an economic and a commercial base, not a military base. And the LTTE wants it.

NS: How do you see the Tamil Nadu Chief Minister, Jayalalithaa's stand on the LTTE and are you going to meet her during this visit?

RW: Her stand is not new. I would like to meet her and brief her on what is happening on Sri Lanka. We are also going to discuss with the Indian Government the feasibility of the land bridge (between Thalaimannar and Rameswaram) and that affects Tamil Nadu. There are many issues to talk to her about. I think I know her well enough to exchange views on any matter frankly and freely. I hope to meet her.

NS: You are going to India again at a time of great tension between India and Pakistan. Do you see this affecting your own country in any way?

RW: My trip to Delhi, and President Musharraf's visit here (scheduled for the end of July) were both fixed before any of this took place. As far as we are concerned, the reasons for the tensions that exist now are bilateral. But we are also mindful of the fact that the consequence of the conflict will not be restricted to the northern plains of the subcontinent, that we will all be affected. We would like to see the tensions reducing, but that has to be done by the two countries, they are both very close to us.

(Courtesy of 'The Hindu')

issues should be taken up for discussion in search of a permanent solution."

"Resolution of the core issues or rather the fundamentals underlying the Tamil national question requires fundamental constitutional reforms leading to a radical restructuring of the state system..... Furthermore, Ranil's administration, with limited political authority subordinated to an all-powerful presidential rule cannot undertake this monumental task involving a fundamental structural transformation of the state. ... Ranil's administration was favourably disposed to the idea of an interim solution realising the practical logic behind the proposal. Unfortunately he has now shifted from his original position on the advice of the President. This is going to create serious difficulties for Ranil since his government is incapable of addressing and redressing the core issues behind the Tamil question."

"A concrete and objective analysis of the evolutionary history of the Tamil political struggle would reveal that the demand for the recognition of the Tamil homeland, the quest for Tamil national identity and the right to self-determination are the substantive core issues or rather, the fundamentals behind the Tamil national question. These are not abstract theoretical constructs of political science or vague legal principles in international law as some Sinhalese intellectuals posit, but rather concrete political demands evolved through historical political struggles to secure the inalienable rights of the Tamil people."

"We have already clarified our position with regard to the Tamil right to self-determination. We hold the view that the Tamils have the right to both internal and external aspects of self-determination. The Tamils would examine a proposal for a fully autonomous Tamil homeland with a system of self-government in realisation of their inalienable right to internal self-determination. But if Sri Lanka denies the right to internal self-determination and continues to subject the Tamils to genocidal oppression they will certainly attempt to realise it externally by struggling for secession, political independence and statehood."

"We do not think that Mr Ranil Wickramasinghe has the necessary political authority to deal with the core issues as perceived by the Tamils underlying the Tamil national question. His theory of one nation, one country and one people is the very negation of the core demands of the Tamils for a homeland, national identity and the right to self-determination. The only practical approach accessible to Ranil is to work out an interim politico-administrative set-up offering an opportunity for the LTTE to participate in the economic development of the north-east; to create adequate space and time to explore the feasibility of providing concrete constitutional forms for the core demands of the Tamils in terms of internal self-determination. Any rush to address the core issues, without the recognition of the basic demands of the Tamils, will end up in disaster as has happened in Thimpu." ❐

The Death of TULF Leader, M. Sivasithamparam

Tamil United Liberation Front (TULF) leader and veteran Tamil politician, Murugesu. Sivasithamparam, born on 20 July 1923, died on 5 June at the age of 79 after guiding the destiny of the main political party, the (TULF) for the past 15 years.

In his younger undergraduate days, Siva, as he was popularly and affectionately called, he was attracted to communism and joined the Communist Party, but later he joined the All-Ceylon Tamil Congress. His remarkable parliamentary career began with a defeat when contested the Point Pedro electorate in the Jaffna peninsula as an independent candidate in 1956 and lost.

Siva was returned to Parliament for the first time in March 1960 winning the Udupiddy seat on the Tamil Congress ticket and repeated his performance in 1960 July too. He was then the sole representative of the party in a Parliament of 157 MPs.

Sivasithamparam won again in 1965 March and the Tamil Congress with three seats joined the coalition government of Dudley Senanayake. It was also the time when the Federal Party led by S J V Chelvanayakam also became partner in the UNP led coalition government. While M Tiruchelvam of the FP became a cabinet minister in that government, Siva was elected Deputy Speaker of Parliament in which capacity he functioned from 1967 to 1970. He lost his seat to the Federal Party in the 1970 parliamentary election.

As the ethnic conflict escalated, the mid-seventies first witnessed the Federal Party, ACTC and the CWC combining to form the Tamil United Front (TUF). With the adoption of the Vaddukoddai resolution calling for a campaign to set up a separate state of Eelam, the TUF became defunct with the CWC distancing itself from the separatist platform, and when the TULF was formed with the FP as its main party, Siva joined it leaving behind his ACTC colleagues. Contesting under the TULF ticket in the Nallur electorate in Jaffna in the July 1977 general election, Siva created history by recording the largest majority of 28,137 votes in the entire country in that election. The TULF with 18 seats was the largest Opposition party in 1977.

Appapillai Amirthalingam and Murugesu Sivasithamparam became Leader and Deputy Leader of the Opposition respectively. Sivasithamparam became president and Amirthalingam secretary-general of the TULF in 1978.

The 1983 July violence resulted in a tragic upheaval for the Tamil minority. Thousands of families were affected and uprooted. Sivasithamparam's house and vehicle in Colombo too were burnt and his family members escaped death miraculously. They, along with many others, relocated to Tamil Nadu.

The TULF forfeited its Parliamentary seats by refusing to take the mandatory oath of allegiance to a unitary state as provided for by the hastily passed Sixth Amendment to the Sri Lankan Constitution. It, however, welcomed the good offices of India and cooperated fully in the mediatory efforts undertaken by New Delhi. Sivasithamparam, along with his TULF colleagues, participated in all forms of India-sponsored negotiations, including the aborted talks in Bhutan in 1985. In 1987, the TULF accepted the Indo-Lanka accord and re-entered the political mainstream of the island.

Siva survived with serious injuries

(continued on next page)

NEWS REVIEW

● SLFP Urges Bigger Role for President

May 3 - After months of deliberation, the Sri Lanka Freedom Party (SLFP) came out with a policy statement on the ongoing peace process, demanding a bigger role for its leader and the President, Chandrika Kumaratunga.

The SLFP, which is the main constituent of the opposition People's Alliance (PA), also made it clear that it was against an interim administration in the northeast before a final solution to the ethnic conflict was arrived at.

The 12-page document, signed by Maithripala Sirisena, general secretary of the SLFP, said that the party supported a negotiated settlement and would not sabotage the peace process in the "destructive" way the now-ruling United National Party (UNP) had opposed its peace efforts.

But the SLFP listed conditions that it wanted met in return for its continued cooperation. Chief among these was that the Government must give the President Kumaratunga a bigger role in the process by recognising that she was the "head of state, head of the executive and the Government, head of the Cabinet, Commander-in-Chief of the armed forces and the leader of the SLFP and the PA."

Proposing that a Standing Committee under the joint leadership of the President and the Prime Minister to guide the ongoing peace process, the statement said, "We strongly urge the UNF to enter into a meaningful dialogue with the main opposition party (the SLFP) and other parties, if it is truly concerned with establishing lasting peace and resolving the ethnic conflict."

The statement came as the Prime Minister, Ranil Wickremesinghe, speaking at a function to mark the World Press Freedom Day, appealed for a move away from confrontational politics in the interests of building a pluralist society.

The SLFP asked the Government to practice what it preached by adopting a united approach to the peace process. "As the LTTE has pronounced time and again, for a sustainable solution to be found to the ethnic problem it is essential that there should be agreement between the two main parties and at least consultation with other parties," the statement pointed out.

"It warned against the setting up of a one-party rule by the LTTE in the northeast, saying this could create a de facto separate state. On the LTTE's insistence that the proscription on it should be lifted before talks are commenced - a demand that the Government is believed to be considering - the SLFP said this should be done only after talks commenced and progressed satisfactorily. But it stopped short of insisting that the ban must not be lifted.

The Interim Administration should ensure that all ethnic groups had representation and enjoyed internationally recognised democratic and human rights. The SLFP did not recognise the LTTE as the sole representative of the Tamil people and therefore, the administration cannot be monopolised by it, the statement said.

● Monitors Under Fire

Colombo, May 5 Barely three months after the truce began, the Sri Lanka Monitoring Mission (SLMM) has come under crticism from newspapers, opposition parties, human rights groups and aroused the ire of President Chandrika Kumaratunga over its handling of incidents threatening the truce.

The 23 monitors from Norway, Sweden and Finland, led by retired Norwegian general Trond Furuhovde, were picked by Oslo monitor the truce between the Tamil Tigers and the government.

In the face of such criticism the SLMM, poorly manned in terms of numbers comprising only 23 foreign members in its team, has urgently requested Norway to send at least 25 additional monitors to help oversee the ceasefire.

Hagrup Haukland, the deputy head of the monitoring mission said they had called for reinforcements to deal with hundreds of complaints pouring in.

"We need more people badly to handle the complaints we are receiving and we have requested them to show up sometime this month," said Haukland. "We actually needed them yesterday." Haukland said the new monitors are likely to include personnel from Denmark and Iceland, besides Norway, Finland and Sweden.

The present team is battling to process numerous complaints, which are swamping the SLMM's six offices in the island's north and east. "Not all the complaints turn out to be ceasefire violations. But we have to listen to all of them. We cannot turn anyone away." Haukland refused to categorise the complaints the monitoring mission had received but local officials said they ranged from accidental shooting incidents to extortion and abduction.

Norway brokered a ceasefire agreement between Colombo and the LTTE, and both sides agreed to have the monitoring mission, headed by retired Norwegian general Trond Furuhovde, as the final arbiter on interpreting the terms of the truce agreement.

The Scandinavians are helped by groups of local monitors nominated by the government and the LTTE. The mission has been called on to rule on several serious incidents that threatened the ceasefire in the north and east.

Haukland admitted to the mission having made at least one mistake. It almost resulted in a hostile confrontation between the navy and a flotilla of boats carrying

(Continued from page 7)

an assassination attempt by the LTTE in 1989 in Colombo. TULF Secretary General A. Amirthalingam and parliamentarian V Yogeswaran. Siva was shot in the chest and underwent a long stint in hospital.

Siva contested the Jaffna and Wanni electoral districts in 1989 and 1994 but failed win. The TULF was actively involved in the peacemaking efforts of President Chandrika Kumaratunga and Siva himself played a commendable role in it. Ill health in 1998 compelled him to return and stay continuously in Chennai till early this year. He did not contest the elections of 2000 and 2001.

During the last quarter of 2001, four Tamil political parties, including the TULF, came together to form the Tamil National Alliance (TNA) and in the general election held in December that year the TNA won 14 seats and Siva became one of its 'National List' MPs.

Siva was incorruptible and a paragon of virtue in every sense of the phrase with not a whiff of scandal about him ever. Few of his ilk are in Sri Lankan politics today and his loss would be sorely felt.

Like many Tamil politicians of his vintage, Siva believed in the creed of Gandhian non-violence and participated in many protest demonstrations over the years. It could be truly said that with his demise an exemplary manifestation of Tamil politics is no more. He leaves his wife, son and daughter and their families. His son-in-law is an Indian national. ❐

some 40 Tamil Tigers off the north-eastern port of Trincomalee.

"That was a tricky case. We were notified in the correct way by the LTTE of the movement of their cadres, but we did not notify the government. We hope that kind of mistake will not happen again," Haukland said.

The mission has also come under criticism from foreign and local human rights organisations for failing to stop the harassment of civilians.

"We are trying our utmost to do a good job. It is not possible to satisfy everybody," said Haukland, adding that more personnel would help the monritoring mission implement the truce properly, and then "we can be more accessible and process complaints faster."

● The Peace that People Seek

May 5 - Rev. C. Jayakumar, the Director of the Jaffna-based Human Development Centre (HUDEC), has said that the peace that the people seek was not any cost or at the expense of "our value and traditions" in an interview with "The Sunday Leader" (5.5.2002).

Asked as to whether moves by the government would pave the way for the opening up of the economy in Jaffna and develop it, he said, "While attaining peace and stability in Jaffna in particular and in the country in general, we should also retain the old charm of the Jaffna city."

In regard to promoting an open economy, Rev. Jeyakumar said, "We only ask for checks and balances for the open economy. You see, the poverty line in Jaffna is very low. Nobody even knows about it. The people who come from the south always interact with the elite of society and return. They fail to understand there is a huge crisis over poverty. So I am not saying that such an opening will not help Jaffna. But at the same time we do not want to see an erosion of values and traditions." Asked as to how the people of Jaffna are continuing to survive with smiles on their faces even after a protracted war, the Reverend said, "It is because of the extended family system that has been cherished here from the inception. Our family systems are very strong. This is why we even survived with an embargo imposed on us. For instance, once a person is living abroad, he/she sends money and that is being shared here. So we survive."

Asked as to why most men in Jaffna are addicted to liquor, he said, "I think most men are under severe stress. They have no place to run to and they try to drown their sorrows by drinking. But I must say that this is not the way to face challenges. Now the cream of society is gone away from the peninsula and these men think they cannot handle the situation. This is the negative aspect of the war. But if you take Japan for instance, after the war, all the educated people and the intellectuals stuck on to rebuild Japan. But here it is not happening. Most educated men have gone abroad while others have been killed. So Jaffna lacks educated men to take on the challenges." Asked as to whetherthe people of Jaffna would prefer an interim administration under the control of the Tigers especially when they are being accused of extorting money from the people, Rev. Jeyakumar said, "It is like this. If the LTTE comes back, it might have to change for the better. If the Tigers continue to extort money and conduct affairs the way it did in the past, they will lose the mass support."

● India offers 'expertise' at talks:

May 7 - India has offered assistance at talks between the Sri Lankan Government and the LTTE expected to be held next month in Thailand, the Constitutional Affairs Minister, G. L. Peiris.

"The External Affairs Minister, Jaswant Singh, assured me that India has no other interest than the return of peace to Sri Lanka. India's only desire is the internal peace of Sri Lanka," the Minister, who is also the Cabinet spokesman and was in New Delhi last month, said at a news conference.

The Government of India had "unequivocally'" declared its support for the peace process, he said. "India has offered to place at the disposal of Sri Lanka technical and constitutional expertise for the Government's discussions with the LTTE that are to be held in Thailand in due course," Mr. Peiris said.

Sri Lanka wanted to be fully prepared for the talks, and the Government would seek assistance from Indian Constitutional experts on aspects of the 13th Amendment to the Constitution, a result of the 1987 Indo-Lanka Accord, for a clear definition of the powers that could be devolved under it, and the unit of devolution, he said.

But the Minister, who is one of two cabinet members in charge of the ongoing peace process, dismissed the inference that a proposed LTTE-run interim administration, which is likely to be the main focus of the Thailand talks, would be based on the model provided by the 13th Amendment.

Mr. Peiris also asserted that talks would be held in June as planned and not in July, as speculation has it after the London-based *Tamil Guardian*, said that talks might not be possible before mid-July.

In the last two weeks, the detente in Sri Lanka was threatened by two encounters at sea between the Sri Lankan Navy and the LTTE.

In one incident, the Navy blockaded a Tiger flotilla near Trincomalee, which was found to be transporting arms and cadres but was let off at the intervention of the monitors.

The monitors later said the LTTE had asked them to inform the Government of the flotilla's movement, and that they had omitted to do so due to an "oversight".

In the second incident, the Navy clashed with boats that it said were carrying arms and ammunition. According to the Navy, one boat self-destructed, while another blew up when its patrol returned fire from it. But in a statement from Killinochchi, the LTTE accused the Navy of firing on fishing boats, killing fishermen and "breaching" the truce agreement. It said the version that the boats were carrying arms was a "ludicrous lie fabricated by the naval authorities to justify their atrocities against innocent fishermen".

Referring to these incidents, Mr. Peiris said no ceasefire in the world was perfect and said the monitoring mission was investigating them in a "even-handed" manner.

Commenting that there was a "vast reservoir" of international goodwill for the Sri Lankan Government's efforts to resolve the ethnic conflict, he said besides India, the U.S. was also fully supportive of the Sri Lankan Government's efforts to find peace.

● AI on Continuing Recruitment of Children

May 7 - The London-based international human rights organisation, Amnesty International, has accused the Tigers of continuing to forcibly recruit children as combatants. In a report, AI has named 13 children from the ages of 12 to 16 who have been forced to join the LTTE in the last few months.

They are: Duncy Mary (f) aged 15, Sudharshini Tharmalingam (f) aged 12, Gunasekaram Kananayagam (m) aged 16, Kathiresan Ruban (m)aged, 16 Ravindran Sanjiv (m) aged 13, Anantharasa Gunaseelan (m)aged 14, Baba Thambirasa (m) aged 12, Mahendran Kapilan (m) aged 16, Mathurauveeran Selvarasa (m) aged 15, Thiyagarajah Suthaharan (m) aged 12, Selvaraji Suthahar (m) aged 13, Vellai-

samy John (m) aged 13, Selvarasa Vishaharan (m) aged 15.

AI has voiced serious concern about the above named children who are believed to have been recruited as combatants by the LTTE.

Duncy Mary was last seen on February 11, 2002 as she returned from a tuition class near a bus stand north of Batticaloa town. Kathiresan Ruban, Ravindran Sanjiv and Anantharasa Gunaseelan were reportedly among a group of seven boys who were recruited by the LTTE on January 2, this year at Chettikulam in the Vavuniya district. Thiyagarajah Suthaharan, Selvaraji Suthahar and Vellaisamy John told their parents on December 10, 2001, that they were going to play at the playground in Sivapuram, in the Vavuniya district but they never returned home afterwards.

AI has conveyed in a communication to the LTTE details of the above abductions. Two youths resident at Weerapuram in Vavuniya, namely Raj Francis and Edward Kennedy were abducted by the LTTE to be given a military training. They were able to escape from the LTTE camp and surrendered to the Thalladi army camp in Mannar on 26.02.2002.

Two LTTE cadres have also been taken into custody when they were detected forcibly taking children to be recruited to the LTTE.The police later released these LTTE members.

A seventeen years old Tamil student, who was abducted by the LTTE, escaped from the LTTE camp and surrendered to the China Bay police station in Trincomalee. A Government news releases reported that a group of LTTE members who arrived at Korakallarmadu area in Batticaloa on 25th March 2002 had demanded that each household in the area had to give one youth or child to be recruited to the LTTE or if they are not agreeable they would have to vacate the area.

On March 30th, a large group of about 300 armed LTTE cadres had crossed over to Wakarai, Kadiraveli area without informing the army from the Polonnaruwa – Batticaloa main road. The majority of cadres were child soldiers aged between 12 years and 16 years and had been trained after joining the LTTE recently.

On 27th March morning three youngsters who had been forcibly taken into the LTTE had fled to Kiran army camp at Batticaloa after which they had been handed over to Palammena Police, Valachchenai.

Apart from recruiting children as combatants, Amnesty International has asserted that it strongly objects to governments and armed opposition groups training or deploying children even, in support roles as messengers or porters.

● Wrangle over highway continues

May 10 – A month after the highway connecting the Jaffna peninsula to the mainland reopened, the Norwegian-led international monitors of Sri Lanka's ceasefire are still engaged in resolving a dispute between the LTTE and the Government over bus rights on the route.

The LTTE wants exclusive rights on the stretch of the A-9 highway that falls in its territory, a demand the Government has refused on the ground that this is an attempt by the Tigers to establish and legitimise a separate jurisdiction in the area under their control.

As with all other aspects of the ethnic conflict, the victims are the civilians. Instead of the promised relief to travellers from northern Sri Lanka to the south and the other way after the opening of the road, the journey is a nightmare in the absence of through transport.

Government-run Ceylon Tranpsort Board (CTB) buses cannot operate on the 70-km stretch of the A-9 between Omanthai and Muhamalai, which falls under the control of the LTTE. Passengers have no choice but to change as many as five buses to travel from Vavuniya to Jaffna.

The first stop is at Thandikulam, the final army checkpoint on the Forward Defence Line (FDL), where passengers are registered and sent by a specially arranged bus flying an International Committee of the Red Cross (ICRC) flag across no man's land to the LTTE checkpoint at Omanthai.

After being screened by the LTTE here, the passengers need to hire a vehicle to travel north up to Muhalamalai, the final LTTE checkpoint on the A-9. This could cost from Rs 150 to Rs 6,000, depending upon the type of the vehicle.

Once again, they must disembark, change into a special bus that will take them across no man's land to the army FDL at Muhamalai. There, they need to hop off one more time and on to a CTB bus that can take them to Jaffna or other parts of the peninsula. Add luggage, babies, children and old people, and the whole trip is a daunting ordeal.

The head of the Norwegian-led Sri Lanka Monitoring Mission was reported to be holding discussions with the LTTE leadership to find a solution to the issue. When the dispute first arose, the monitors had ruled that the LTTE was violating the ceasefire by restricting free movement of passengers, and gave both sides a month to sort out the dispute. The deadline passed without any resolution of the dispute.

The Government has said that it is willing to consider an LTTE-run bus service on the stretch provided it is operated under motor vehicle rules prevalent in other parts of the country. "We have indicated our flexibility on an arrangement for an LTTE-sponsored bus company, but they will have to comply with the gazetted rules of the country," said an official.

At the moment, vehicles in LTTE territory carry "Tamileelam" license plates and are not registered with Sri Lanka's road traffic authorities.

Officials said at the heart of the dispute was the LTTE's desire to assert the separateness of the territory under its control. For civilians, the sheer logistical difficulties of the journey are compounded by the LTTE "tax collectors", who are reported to be charging a 25 per cent levy on goods people are taking into area under its control, especially on bicycles and essential commodities. Tamil sources said those travelling south are discovering that they have to give financial guarantees of their return and must obtain permits from the LTTE to leave. As a result many are now turning back to the air and sea routes, which are also procedurally daunting, but now seem more attractive given the complications of the land route.

● Threat to Peace Process

14 May – The National Peace Council of Sri Lanka in a statement states, "Political and media attention at this time appears to be focusing more on the shortcomings of the peace process rather than its strengths. This is creating a negative climate of opinion in which the benefits of the ceasefire agreement, such as the savings of life (of about 1500 persons based on a average death toll of 10 per day), are being taken for granted or downplayed. Any erosion in public confidence in the peace process will make it more difficult for the next steps forward to be taken, such as the lifting of the ban on the LTTE and commencement of direct negotiations.

An important confidence-building measure could be an increased emphasis on human rights issues. Several civic organisations have pointed out that the human rights situation in the north and east is poor and has to be improved. The NPC believes that the government and LTTE should sign a human rights agreement to accompany the ceasefire agreement and thereby restore public confidence in their

bona fides vis-à-vis the public welfare. At the same time we call for an independent human rights monitoring body with Sri Lankan and international participation to be set up in terms of this agreement.

The NPC is also concerned that partisan political considerations are contributing to a one-sided and overly adverse assessment of the ceasefire agreement. The high degree of political polarisation in the country that permeates institutions in general, including the mass media, must not become an obstacle to the peace process. In particular, we view the inability or unwillingness of the government to get the opposition on board the peace process as a major contributory factor to the rise in anti-peace propaganda. A key reason for the mainstream opposition's refusal to cooperate with the government at this time is its sense of political grievance rather than a fundamental antipathy to the peace process. Senior opposition leaders complain of both political harassment and of exclusion by the government. Accordingly, the NPC calls on the government to enter into a memorandum of understanding with the opposition that takes their mutual concerns into account. A bipartisan approach is crucial to sustaining the peace process in the longer term and in upholding the national interest over partisan ones.

● Ranil to sign several deals with India

May 19 - Prime Minister Ranil Wickremesinghe may sign several important Memoranda of Understanding (MOU) with India when he visits New Delhi in the second week of June,official sources said in Colombo.

From the politico-strategic point of view, the most important could be the deal to lease out to India some of the 100 giant World War II vintage oil tanks in Trincomalee.The Sri Lankans say that the Indian Oil Corporation (IOC) is to take fifteen of the tanks. But the Indians say that though an IOC delegation had visited the site some time ago, nothing is certain given the lack of a real demand for the facility. But, having failed to get New Delhi directly involved in the peace process between his government and the LTTE, some observers are of the view that the Prime Minister is keen on drawing India into the north-east to give it a stake in that politically sensitive part of the island. They say that an Indian stake will mean an Indian interest in keeping the LTTE in check if and when this becomes necessary.Though at this point of time, the Indians may be hesitating to respond to the Sri Lankan offer enthusiastically,they have a long term interest in seeing that no other power gets hold of the gigantic and strategically key facililty. In fact, India has a prior claim to the tanks as per the Indo-Sri Lanka Accord of 1987. The Accord says that the tanks will be refurbished and used by India and Sri Lanka as a joint venture.

However, from the purely economic point of view the most important MOU will be on giving some 25 to 30% of the retail outlets of the Ceylon Petroleum Corporation (CPC) to the Indian Oil Corporation (IOC) when it is privatised.The IOC will be selling its oil products in the island. This is expected to give the Indian oil a major headstart in the race to take over the operations of the CPC when it is privatised.Colombo is very keen on the Indians coming into oil sector in Sri Lanka in a major way because it will help it fend off undue pressures from the MNCs.

The signing of a MOU on getting Indian expertise for the privatisation of the Ceylon General Railways (CGR) is certain.The Indian Railways' consultancy wing RITES will do a feasibility study on privatisation of the CGR.

Discussions on an air service between Colombo and Bangalore will also take place.Sri Lankan Airlines is keen on starting the service,but this may not materialse very soon because the Indians have put a spoke in the wheel.They insist that Sri Lankan Arilines should fly to the Buddhist pilgrimage centre Bodh Gaya in North India, if Bangalore is to be opened up.But the Colombo - Bodh Gaya route may not be very profitable for Sri Lankan Airlines because most Sri Lankan pilgrims, being middle class shoestring budget travellers, will prefer to fly to Chennai and take a train to Gaya.

● UNP sweeps local polls

May 21 - Sri Lanka's ruling United National Party, which has given the country its best chance for peace in years, registered a near sweep in local polls held on 20 May. The party of Prime Minister Ranil Wickremesinghe won 15 of 17 Municipal Councils. One Council was won by the Liberal Party and another by an independent group..However in several areas, voting in was marred by violence.

The main opposition People's Alliance, which lost last year's parliamentary vote, and the Marxist Peoples Liberation Front (JVP), which has staged protests against the peace process, were heavily defeated.

The victories continue a streak for Wickremesinghe, who won parliamentary elections in December on a pro-peace platform and also saw his party take all but five of 222 village and city councils that were contested in March. As in December and March, the United National Party campaigned on its peace plan, while the other parties attacked the plan and criticised the cost of living.

Wickremesinghe has seen his party's popularity go up after he signed a ceasefire with the Liberation Tigers of Tamil Eelam (LTTE) in February, and as he moves quickly towards talks with the Tamil Tigers, now expected late next month. The talks would be the first face-to-face peace negotiations in seven years.

Violence is common in Sri Lankan elections .The independent Centre for Monitoring Election Violence said it had received more than 100 complaints of election-related violence, including one murder. The worst violence was in southern Tangalle, won by the ruling party, which had "rendered the results meaningless", the centre said. Voter turnout was about 65 percent, with about 1.1 million of Sri Lanka's 19 million people eligible to vote. The elections in the 17 municipalities, including the capital Colombo, were to have been held in March but were delayed by legal challenges. Elections for another 71 local government bodies in the war zone in the north and east are expected to be held in September.

● "Peace process: Optimism has not waned"

CHENNAI, May 23 - As the fragile Sri Lankan peace process enters a significant phase, the island's Shipping Minister, Rauf Hakeem, sees no reason for panic and asserts that recent misgivings are "usual teething problems."

"Optimism has not waned. It has had some temporary setbacks since both sides are trying to prove to the people that we dominate the process, that we call the shots," Mr. Hakeem, who is on an official visit to India told *The Hindu* on 23 May. "I don't see any necessity for both parties or any party to panic. Whatever has happened or has not happened are usual teething problems that have got to be resolved by mutual dialogue, he said.

Mr. Hakeem, who is also the leader of the Sri Lanka Muslim Congress, said the Tigers had "realised their folly," and was of the opinion that the build-up of peace will force the Government and the Tigers to a solution.

According to a memorandum of un-

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derstanding entered into by the Sri Lankan Government and the Liberation Tigers of Tamil Eelam (LTTE) with Norway on February 21, "all unarmed LTTE members shall be permitted freedom of movement in the North and the East" 90 days after the MoU. With the passing of this deadline, Mr. Hakeem said, "it will be very interesting to see how the LTTE will present itself to the people as a party that is willing to transform itself from a politico-military organisation which had a somewhat hegemonistic attitude towards the others. It is imperative that Mr. Prabakaran's assurance to permit pluralism is put into practice and they respect the sentiments of the people in its true sense. What is important is for them to realise that they should not upset the dovecote in the south by getting into unnecessary emotional roller coasters anymore."

Mr. Hakeem termed the sharp reactions in southern Sri Lanka to his meeting with the LTTE leader, Vellupillai Prabakaran, in April, as "typical" of the Left radical Janatha Vimukthi Peramuna, and that it resorted to it "out of desperation.".

What, however was "unfortunate" was that the People's Alliance had also for some time "jumped into the bandwagon." The important issue, he said, was to deal with the southern politics in a "bipartisan manner, forgetting vindictive politics."

Mr. Hakeem's meeting with the Tigers came at a time when anti-Muslim pronouncements were attributed to the eastern Tiger leadership. Against that backdrop, the SLMC leader, who "did not want to point fingers," said the meeting "was a good start" for the Muslim community. "It was very positive. People were getting restive. Certain actions by individuals were sending the wrong signal. It was obvious that things were beginning to happen in such a way that those convulsions would end up in totally derailing the process. The meeting and the assurance that were given by Mr. Prabakaran were seen as a very magnanimous gesture, though the magnanimity came somewhat late."

Tamil-Muslim relationship in Sri Lanka had hit a low when the LTTE ordered the eviction of the Muslims from the North a decade ago. In a reference to this, Mr. Hakeem said, "the Tigers have certainly realised their folly by evicting the Muslims from the north. It is now important for the Tigers not to rely solely on the dominance gained by the gun. Though Muslims are angry and bitter at what had happened in the past, we also realise the imperative need to co-exist and live as brothers in the north and east with the Tamils. We need to regain our neutrality. If we can sit down and talk we could find innovative ways of sharing power."

Asked about the sensitive issue of merger of the north and east, he said, "the eastern people must have a say in deciding whether they will continue to coexist. That will also act as a bulwark against totalitarianism."

On how he read the Tigers' moves in the peace process, he said "they have never changed their stance" and have kept all options open while insisting that "they will consider a viable alternative." The hope for peace, as Mr. Hakeem sees it, is in ensuring that the dividends of peace reach the people.

"The emerging scenario is such that the Tigers need to contend with the sentiments of the people. It is important for the peace dividends to filter down to the people. That has started. That is what gives the confidence. They will act as a massive pressure group. Once peace dividends are enjoyed by all sections of the Sri Lankan polity, they will act as a massive pressure group both against the Government and the LTTE in order to force them into a solution." *(Report by V.S. Sambandan, The Hindu)*

● **UNHCR on Return of Displaced Persons**

May 23 - Despite the voluntary return of 71,000 internally displaced people [IDP] to their homes this year, the United Nations' leading refugee agency maintains that "conditions in Sri Lanka are not yet conducive to promote or facilitate large-scale, organised [displaced people's] return or repatriation of refugees," a UN working group said this week. The report said that major concerns remain regarding the risk of landmines and unexploded ordinance in both actual and potential areas of return. UN's High Commissioner for Refugees (UNHCR) "is monitoring closely the situation of spontaneous returns to ensure that they occur voluntarily, with safety and dignity," the UN's IDP working group said in its weekly bulletin.

More than 71,000 internally displaced persons (IDPs), or roughly 14,200 families, have returned to their homes since the beginning of the year in Jaffnaa, Kilinochchii, Mullaitivu, Mannar, Vavuniya, Trincomalee and Batticaloa districts, the report said. More than 35,000 returnees in Jaffna District account for nearly half the total. "Precise week-by-week figures are not available, but indications are that the magnitude of return has clearly increased since the Feb. 23 cease-fire agreement," the report said.

Despite the UNHCR having "reservations about promotion or facilitation of large-scale, organized repatriation at this stage" the agency has agreed to assist in the return of 16 extremely vulnerable refugees from south Indian camps for pressing humanitarian reasons, the report added.

Modalities of repatriation, as well as the level of assistance the government can provide, are two of the topics to be discussed at a meeting on voluntary repatriation that UNHCR is scheduling with the relevant government authorities.

More than 50 refugees crossed the Palk Straits in fishing boats from India to Mannar in April, the report said, adding that such spontaneous returns appear to be continuing. The report says that the UNHCR's "primary responsibility with relation to mine-action issues within the current context is to identify priority areas of potential IDP and refugee return where de-mining and mine awareness activities are required." UNICEF is said to be the lead UN agency on mine-risk education (MRE) and is to work closely in that capacity with UNHCR in areas where large numbers of people have returned, are returning or could potentially return, the report added.

The estimated 1.4 million pieces of live ammunition, including 86,700 anti-personnel mines, remaining in territory formerly controlled by the Sri Lanka Army are taking a long time to clear due to the lack of equipment and funding, according to the official in charge of clearing the unexploded ordnance.

The landmine clearing work in LTTE controlled areas is currently being funded solely by the Tamil Rehabilitation Organisation, Mr Yogan, coordinator of the Humanitarian Landmine Clearance Section told reporters last week. He noted that elsewhere in the world, such projects received support from United Nations agencies.

● **India to get Trinco oil tanks**

May 24 - The Sri Lanka cabinet which met on 24 May decided to offer a key oil tank installation in the eastern port town of Trincomalee to India's public sector giant Indian Oil Corporation (IOC) on long-term lease.

The decision is to give on long lease all the 99 giant oil tanks in Trincomalee to India to be run by a joint venture company comprising the Indian Oil Corporation (IOC), and a Sri Lankan partner, Cabinet spokesman and Constitutional Affairs Minister said. The IOC would have majority stake in the new company, he said.

Significantly, the Cabinet decision covers the entire China Bay foil tank farm, comprising 99 storage tanks, and allows IOC to use as many of them as it wants, and lease out the rest. The facility has a combined capacity of over one million tonnes.

Originally, it was said that only 15 tanks would be given to India as that was the view of the minister concerned. But in the final analysis, the view of Prime Minister Ranil Wickremesinghe and Economic Reforms Minister Milinda Moragoda prevailed. They were strongly in favour of a full Indian take over, albeit as a joint venture as per the Indo-Sri Lanka Accord of 1987.

Peiris said that the IOC, one of the Fortune 500 companies, would be given the right either to keep all the tanks or lease out some to other parties. "If India accepts the offer, IOC will have to incorporate a new joint venture company along with a local partner to operate the oil tanks. The IOC would have majority stake in the new entity," Peiris said.

Peiris did not divulge more details on the lease proposal, especially on the proposed security arrangements for the installation. The Cabinet was taking advantage of the fact that the Indian government had shown a "strategic interest" in the oil tank farm, while making the offer of a long-term lease, he said.

He added that the offer to give the facility to India in its entireity had "national security and economic security implications" about which he refused to elaborate.

Trincomalee, with its natural harbour, is considered to be of enormous strategic importance not only for the island but also for the entire south Asia region. In the LTTE's scheme of things, the city and the harbour falls within the area it claims as the homeland of the Tamils where it has been battling to set up a separate state. Some of those who want to thwart any unwelcome designs on the part of the LTTE think that a strong Indian presence in Trincomalee would be a countervailing factor. It has also been commented that the Sri Lankan government took what is described as a pre-emtive decision to offer the facilities to India at this time to avoid being confronted with any obstacles from the LTTE present it with a *fait accompli* on the status of Trincomalee during the forthcoming talks in Thailand.

● **Norway sets questionnaire**

May 27 - The Norwegian government brokering the peace deal between the Sri Lankan government and Tamil Tigers has sent out a questionnaire to both sides to make preparations for direct talks in Thailand, according to reports from Colombo.

The objective of the questionnaire is to ascertain how the talks between the two sides should be conducted and the composition of the teams taking part in the proposed negotiations. "The Sunday Times" said it had obtained a copy of the Norwegian questionnaire and published some of the highlights in its column. The questionnaire was part of the preparations being made by the Norwegian government to open direct talks between the two sides, the first in seven years, after the previous round of peace talks collapsed in April 1995.

"Like in the case of the ceasefire agreement (Memorandum of Understanding) between the government and the LTTE, the Norwegians have called for position papers from both sides on the upcoming talks," the newspaper said.

"A significant question in the questionnaire is whether the facilitators should sit in during talks, should they take part in the discussions, make proposals, suggestions etc.," the paper said.

How and by whom the questionnair

was leaked to the press remains a mystery. But the Norwegian ambassador in Colombo, Jon Westborg, confirmed that Norway had sent out the questionnaire to the LTTE and the government, but declined to go into details of the questions. But the responses are expected to have a direct bearing on fixing dates for the talks and working out other modalities.

Among the clarifications sought by Norway are how often both sides should meet, how many days they should sit for talks at a time, the preferred size of the delegation, whether advisors are allowed to take part in the talks and whether advisors are permitted a place at the table or only when their inputs are required.

Should committees/sub-committees be used to deal with issues of a more technical nature, should detailed minutes be maintained or only minutes of decisions, and should all meetings be finalised by an agreement, minutes or a statement, are few of the other questions.

Norway has said that experience has shown the advantage of the parties agreeing on guidelines concerning how to deal with the media and what would be the most important elements in such guidelines. Who will chair the meetings and what should be the role of the chairperson is also another question posed to both sides.

● Constitutional Amendments Proposed

May 28 - The government has published details of proposed constitutional amendments that it says will bring about "a new political culture." The main feature, according to the government, is the creation of an executive committee system which will comprise the elected representatives of both the ruling and the opposition parties. But the amendments are clearly designed to strengthen the Parliament's position vis-à-vis Sri Lanka's powerful Executive Presidency.

A new Article 44A will provide for the establishment of 20 Executive Committees, the Department of Information (DoI) said. Each will consist of a Chairman (appointed by the Prime Minister from amongst Cabinet Ministers) and at least 10 other MPs.

A new Article 44B provides for the establishment of a "Social, Economic and Cultural Council" which will consist of the Prime Minister or his nominee, a representative from each of the 20 Executive Committees and up to 40 persons (appointed by the Prime Minister in consultation with the Chairmen of the Executive Committees) representing, Professions, Universities, Business Chambers, etc.

In the context of ongoing power struggle between Parliament and the Office of the President, a key aspect is the proposed amendment of Article 70, through power is vested in the latter to dissolve the former upon the expiration of a period of one year from the general election. The Article is to be amended to enable the President to exercise this power only with the consent of the Prime Minister or the majority of the Members of Parliament. "So long as the Government continues to enjoy the confidence of the majority of the Members of Parliament, dissolution will not be possible," the Information department pointed out.

In another change being instigated in the context of the tussle between President Chandrika Kumaratunga of the PA and Prime Minister Ranil Wickremesinge of the UNF, Article 90 is to be amended "to enable an MP who votes in Parliament in accordance with his conscience to continue as member notwithstanding his expulsion or any other disciplinary measure taken against him by the political party or group to which he belongs."

The present power of the President to appoint Special Presidential Commissions also is to be abolished.

The UNF plans to strengthen power of Parliament over public finance. "The anomalous exception preventing Parliament from exercising its power in respect of particular funds will be done away with, and Parliamentary control of public finance will be established as an unqualified principle," the DoI said.

● Muslims return to find themselves homeless

May 28 - Jaffna: Nifahir has returned to his hometown Jaffna for the first time in 12 years since the LTTE ordered all Muslims in the area to leave, but all that is left here to call a home is rubble.

"I can't control my tears as I look at this, all that is left of my home are these stones. I can't explain how I feel," he says.

After the government and LTTE entered into a permanent cease-fire three months ago rebel leader Velupillai Prabhakaran agreed to permit the tens of thousands of Muslims who were kicked out of the northern province to return to their homes.

But most of these people who left without anything and have lived in the poorest conditions as refugees for all these years have come back only to broken down homes and a badly destroyed city thanks to years of fierce fighting between the army and LTTE.

Jaffna has just begun enjoying the fruits of peace but as the guns are silenced the city administrators are facing a whole heap of new problems including re-settlement and rehabilitation.

"Resettlement of people is our biggest problem. 70 per cent of the houses of the Muslim returnees are already occupied by locally displaced people and the military is also occupying several buildings," says Mr Shamuganadhan, Government Agent of Jaffna. Occasionally you find a family living in a house with no roof and half broken walls just so they can claim the ownership to their property.

Thousands of Muslims have been pouring into Jaffna to get a glimpse of their homes but hardly any of them have any intention of returning unless the government compensates them sufficiently to be able to rebuild their homes.

Many of the public buildings in Jaffna are occupied by the Sri Lankan army and though the cease-fire agreement stipulates that all buildings have to be vacated in about a month it is almost unlikely that the military could meet that target.

The LTTE have said the cease-fire has to be implemented in full before they meet the government for peace talks in June and one of the conditions the rebels want met is for the army to start moving out of buildings.

"Security is of primary concern. In areas which are high security zones even if we vacate buildings people cant come and resettle," says Commanding officer of Jaffna General Sarath Fonseka. *(Report by Farah Mihlar Ahamed, Times of India)*

● President and PM closing ranks for talks

May 29 - For the first time since a co-habitation Government came into being last December in Sri Lanka, a meeting of minds is now evident between the President, Chandrika Kumaratunga, and the Prime Minister, Ranil Wickremesinghe, on the issue of the peace process.

Addressing the European Parliament in Brussels on Tuesday, Mr. Wickremesinghe said his Government was looking at devolution modelled on the Indian or British pattern as a solution to the country's ethnic conflict.

Reiterating that a united Sri Lanka was non-negotiable, Mr.Wickremesinghe told MEPs (members of the European Parliament), "Even though the LTTE wanted the setting up of an interim administration (for the north-east) to be given priority at the direct talks in Thailand late next month,

the Government will ask that all core issues also be taken up at the top," answering questions from MEPs

This is the first time that Mr. Wickremesinghe has clearly articulated the view that an interim administration should be linked to core political issues. Echoing another view held by the President, the Prime Minister also said the LTTE must agree to respect human rights and democratic norms.

It had been earlier the perception that the Government was agreeable to the LTTE demand for an interim administration in the north-east and not averse to putting off discussion on substantive issues till a more convenient time.

As a result,, whenever the President brought up these issues, she was described as opposing the peace process. But now, the Prime Minister and she appear to be expressing identical views.

For the LTTE, which was preparing to soon take over the administration of the north-east, is a bit of a let-down. At his press conference last month, LTTE leader V Prabhakaran had claimed that the modalities for an interim administration alone would be the focus of the Thailand talks. A stinging editorial in the *Tamil Guardian*, an accurate barometer of LTTE thinking, accuses the Government of "buckling'" to the hardline pressure exerted by Ms. Kumaratunga and her People's Alliance.

"Hitherto, the UNF's positions on matters related to the peace initiative have been starkly distinct from those of the ultra-hawkish People's Alliance (PA) of President Chandrika Kumaratunga. But the apparent adoption by the UNF now of some of the very positions which the PA maintains and which earlier thwarted the Norwegian peace initiative has justifiably heightened concern," the London-based weekly said in its latest issue.

It argued that the Government seemed to be back-pedalling on its initial agreement with the LTTE on restoring normality for an "interim" period and cast doubts on the whole process, including the proposed peace talks in Bangkok.

"Yet suddenly, the dynamics of the Norwegian peace initiative seem to have turned about. President Kumaratunga has instructed Wickremesinghe to ditch the idea of an interim administration and pursue 'core issues' instead. With the UNF Government apparently buckling to Kumara-tunga's pressure, the Norwegian facilitat-ors will no doubt struggle to find a way forward now,'" the publication stated.

● **Jaffna: Most affected are women**

May 31 - Jaffna: For nearly two decades Jaffna has been pretty much the centre of fighting between government forces and the LTTE. And the war has done far more than destroy buildings and damage homes; it has hurt the minds of hundreds of thousands of people.

Although almost all the people go about living normal lives, more than 40 percent of the people in Jaffna are believed to be psychologically affected by the war and the most affected are women.

If the direct effects of the war were not enough, women in Jaffna are now suffering from a new phenomenon - exorbitant dowry demands. Parents in Jaffna are finding it increasingly difficult to get their young girls married off because the dearth of eligible men has resulted in the few available bachelors demanding handsome dowries. Even if the girl is educated, the men are demanding 2 million rupees for dowry. "When my daughter gets older I will have to pay about 5 million rupees," says a schoolteacher in Jaffna town.

There are an estimated 15,000 widows in Jaffna alone: most of them have lost their husbands either to military attacks or because they have been killed fighting for the LTTE. "When the Indian forces were here, their attacks, particularly on the coastal areas, resulted in a lot of young men getting killed, so there were many young widows," says Saroja Sivachandran of the Centre for Women and Development. Women suffer both due to the LTTE and the army. While they are militarised and used as combatant by the Tamil Tigers, they also become sex tools for the soldiers who are present in Jaffna.

"While a large number of women living close to the army camps are being exploited by the army, only a few cases are reported to us. Besides, we can't even term all such cases as rape because, mostly, there is some consent by the women," says a human rights activist.

Since a lot of people in Jaffna live in broken down, bombed out houses there is also a huge problem of security facing women and children, particularly the young girls. "There is absolutely no security for women here. Even a next-door neighbour can take advantage of her," says Sivachandran.

Prof. Daya Somasundaram of the Department of Psychiatry at the University of Jaffna says that most people, worn out by years of fighting, need psychological help. And this is evident from the fact that they often turn up at the hospital complaining of ailments they don't really have.

For some, even the peace talks are a disaster in disguise

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as they now have the time to stop and remember the horrifying experiences they underwent all these years. *(Report by Farah Mihlar Ahamed, Times of India)*

● US-Lanka Agreement

May 31 - Sri Lanka will enter into an agreement to allow U.S. military aircraft and ships to refuel and be serviced in its territory, a U.S. embassy official said today. The agreement comes amid U.S. support for a Norwegian-brokered ceasefire between the South-Asian government and Tamil Tigers to end a nearly two-decade conflict, but the embassy official downplayed the level of cooperation the pact will en tail.

"Planes and ships of each nation can go to the other nation for refuelling, minor servicing and repairs at cost or a payment in kind," Stephen Holgate, the public-affairs officer of the United States embassy in Colombo said.

"Clearly when you sign an agreement that implies a certain level of cooperation and closeness, but this is not a quantum leap," he said, denying local newspaper reports that the deal called the Acquisition and Cross Servicing Agreement would allow America to build bases in this island nation.

In the aftermath of the September 11 attacks on New York and Washington, the United States has been leading a global war on terrorism and has deployed troops in Afghanistan and the Philip pines.

"This is the sort of agreement we have with scores of countries around the world," Holgate said.

The United States has absolutely no intention of setting up a military base in Trincomalee harbour or anywhere else in Sri Lanka," he added.

U.S. warships rarely make refuelling stops in Sri Lanka. USS Hopper, which is providing logistical support for the operation in Afghanistan.and which stopped at the island last month, was the first U.S. ship to port there in eight years in a visit that was seen more as a sign of U.S. support for the government's peace process.

A defence analyst in Colombo said that for the Sri Lankan Government, more than the military assistance, the value of the new agreement is in the signals that it can send to the LTTE at a time when the two sides are engaged in a Norwegian-facilitated process to begin peace talks.

Mr. Joseph Pararajasingham, senior Tamil National Alliance MP for Batticaloa told a US official that a proposed defence treaty between Washington and Colombo would support the majority Sinhalese "continue the discrimination and subjugation of the Tamil people."

"The Tamil people are very much concerned and suspicious about the proposed 'Acquisition and Cross Servicing Agreement' between the United States of America and Sri Lankan Government. From past experience they feel that it can be used as a tool to support the Sri Lankan military's war against the LTTE. Signing the agreement would mean that you support the majority community (Sinhalese) to continue the discrimination and subjugation of the Tamil people," Mr. Pararajasingham told Mr. Joseph L. Novak, the head of the political section of the US Embassy in Colombo. The MP told the official: "The embassy spokesman Mr. Stephen Holgate downplayed the level of co-operation the pact would entail. But the Tamil people look at this agreement with concern and apprehension because it would eventually commit the US to provide logistic support, training and military supplies to the Sri Lankan security forces. The Tamil people feel that the agreement is meant as a warning to the LTTE, to make it fall in line with the peace process."

The TNA MP said that the US official had assured him that America would never do anything detrimental to the interests of the Tamil people.

The *Tamil Guardian* from London also noted the Government's decision to lease the Trincomalee oil tank farm to Indian Oil Corporation and the imminent signing of a military agreement with the U.S. as developments that would impact on the peace process.

Refuting "broad, and occasionally inaccurate, press coverage," the United States in a statement issued in Colombo on 31 May denied that it was planning to enter into defence pact or treaty with Sri Lanka and said the proposed Acquisition and Cross Servicing Agreement (ACSA), "does not ally the two countries in any formal way."

Stating that the two countries "have been engaged in discussions concerning this proposed agreement, but it has not yet been concluded," the Embassy said such "low-level agreements [are] designed to address modest needs in a manner convenient to both parties."

"The ACSA is, as its name implies, an agreement that allows the armed services of each party to the agreement to avail itself of servicing, repairs, spare parts and equipment of the other in exchange for payment or through the exchange of identical goods or goods of equivalent value," the statement said.

The statement added,"ACSA is not a means to acquire major arms," adding, "It is not a means to acquire bases. ACSA has nothing to do with access to Sri Lanka's airspace or waters." The statement also made it clear, "The United States has no interest in acquiring military bases anywhere in Sri Lanka."

"United States and Sri Lanka have enjoyed a modest but appropriate level of military cooperation for a number of years. The ACSA is not a departure from the nature of this long-standing relationship, but a further confirmation of it," the statement said, adding the US has similar agreements with 56 countries.

● LTTE's confidence in Ranil's government

02 - The Liberation Tigers of Tamil Eelam (LTTE) have expressed confidence in the government led by Prime Minister Ranil Wickremesinghe of pursuing the Norwegian backed peace process, but they are sticking to their demands for de-proscription and setting up of an interim administration for the strife-torn north and eastern provinces, before the proposed direct talks with the Sri Lankan government.

The Political Secretary of the LTTE, S.P.Thamil Chelvam, in an interview with "The Sunday Times" in Colombo, said they believe that Wickremesinghe "is a person who has the strength, political will and courage to go ahead with this peace initiative, come what may". "We have confidence he (the Prime Minister) will overcome the hurdles placed by war mongering and chauvinistic groups," Chelvam was quoted as saying.

Refering to recent comments made by Wickremesinghe that the proposed interim administration would need parliamentary approval, Chelvam said they have confidence in Wickremesinghe and that statements may have been made to satisfy various constituencies in the south. "However, it is very unfortunate if Mr Wickremesinghe has changed his position. That definitely is not going to be contributory towards the resolution of the problem," he said.

Chelvam explained why they want the ban on their organisation lifted and the need for the interim administration in the north and east. Hesaid the de-proscription "is for legitimacy" of the LTTE, and the Interim Administration "is to establish a means to alleviate the problems of the people who are suffering for nearly two decades." He said it was essential before they get into meaningful negotiations towards

a lasting political solution to have an administration carried out by their own administrators, the LTTE. "The Tamil people consider the LTTE their political masters or rather their political representatives," Chelvam said.

Responding to questions about allegations made by the LTTE's chief negotiator now in London, Anton Balasingham, about the government not fulfilling the Memorandum of Understanding with the LTTE, Chelvam said some of the areas which the military should have vacated have not been done so far; there have been fears of harassment; and fishing restrictions have yet to be lifted. The issue of not granting permission for the LTTE cadres to enter into islands off the northern Jaffna peninsula for political activities has been another one, he pointed out.

On allegations about the LTTE bringing in weapons during the ceasefire agreement, Chelvam said it was the usual practice of the military to level such allegations. He also denied the allegations that they were 'recruiting' cadres to the movement, but said people were "volunteering themselves to be enlisted for the freedom struggle".

● Lanka urged to move faster:

June 6 - Sri Lanka should move faster in securing peace and implementing economic reforms, the Vice President of the World Bank's South Asia region, Mieko Nishimizu, said in her concluding statement to the Sri Lanka Development Forum meeting in Colombo. "Speed is of essence," she said adding "It is important to begin actions in places where strategic priority, tactical advantage, enabling opportunities ... exist." Ms. Nishimizu said Sri Lanka needs "a leadership team whose consistency of words and actions, individually and collectively, earns the trust and confidence of the people over time."

Promising the support of the Development Forum to the United National Front (UNF) government if it was prepared to effect moves towards peace and economic reform, the World Bank official also delivered a low-key warning if it was not. "We engage with [champions and leaders of change] as our counterparts, facilitate their work, and promote them with our corporate reputation, our global knowledge, and if necessary our financing. We also disengage, consciously and explicitly, when such leaders cease to exist," she said.

"As such, as long as the process of change keeps moving forward, our assistance to the nation building of Sri Lanka can be much, much, bigger than any amount of financing we can bring," Ms. Nishimizu said.

The 2-day meeting brought together nearly 80 delegates from 39 bilateral and multilateral donors and over 100 participants representing the Government, private enterprise and civil society, the Department of Information said.

Ms. Nishimizu said that having heard the discussions, she had an "even greater sense of urgency for action for the government to keep acting, gain the momentum, and keep moving faster in securing peace and implementing the reforms."

"Sri Lanka stands at the cross roads of destiny," Ms. Nishimizu said. "At such a historic moment of great opportunity, people anywhere need a visible leadership of their government a group of leaders in their government who works as a true team."

During the discussions which centred on government's Poverty Reduction Strategy (PRS), but also covered its Rehabilitation, Reconstruction and Reconciliation ('Triple R') delegates queried planned benefits for the people of the island's north and east. "We do hope that the state of non-war that has been reached will provide an opportunity to progress further on the path outlined in the papers and to include, in particular, the people of the [North and the East]," the German government delegation said in their statement.

"Peace, relief, rehabilitation and reconciliation are the highest priorities for Sri Lanka today," the German statement said. "Striving for a balanced development of the whole country swift action, however based on broad genuine participation and efficient coordination, is needed in order to prevent the North and Northeast from being left behind in the economic process."

The German government called "upon the Government of Sri Lanka, its opposition in Parliament, and the LTTE to shoulder their shared responsibility for the peace process," adding it "strongly supports the ongoing Norwegian facilitated process which should lead to a peaceful solution of the conflict in the framework of Sri Lanka's territorial integrity."

Sri Lanka's Finance Minister, K.N. Choksy, told journalsits after a two-day meeting that the Government had impressed upon donors that if people could see the benefits of peace, the Government's hand in the peace process would be strengthened. '"If people can reap the peace dividend straightaway, there will be that large psychological pressure on LTTE and the dissenting factions to arrive at a settlement,'" The forum had accepted the government's case, and as a result, aid to the tune of $ 150 million that was lying to the credit of Sri Lanka and had not been utilised so far, would be immediately pressed into service for development of the north-east. Priority would be given to the development of infrastructure such as rebuilding roads, hospitals, schools and community centres and services like water supply, Mr. Choksy said.

● **Ranil's Visit to Delhi**

NEW DELHI June 9. As the Sri Lankan Prime Minister, Ranil Wickremesinghe, arrives here for consultations with the Indian leaders, there is a danger that the Government might not measure up to the new vision in Colombo for a transformation of bilateral relations, diplomatic observers here say.

At the heart of the fresh approach that Mr. Wickremesinghe brings to ties with New Delhi is an agenda for an accelerated economic integration between the two countries. But is India ready? Besides briefing the Indian Government on Colombo's efforts to end the tragic civil war with the Tamil minority, he would be looking for immediate action from New Delhi that could radically restructure economic relations between the two nations.

Mr. Wickremesinghe, who has made bold to push the peace process in Sri Lanka, will also communicate to the Indian political establishment his conviction that the future growth of the island nation is tied to the Indian economy.

Unlike the other neighbours of India, who are either reluctant or embarrassed about pursuing their own 'enlightened self-interest' through cooperation with New Delhi, Sri Lanka is pushing for economic engagement with India through unilateral action wherever it can.

He has taken the domestically risky political decision to lease the oil tanks at the Trincomalee port to Indian Oil Corporation. He wants India and Sri Lanka to fully develop the commercial potential of the strategic port. India has promised to respond within a month to a full range of economic proposals, including greater access to ports, more air links, and facilitation of bilateral trade in services. But will the Indian response be positive?

The Prime Minister, Atal Behari Vajpayee, diplomatic observers here say, must impress upon the commerce and finance ministries, notorious for their tunnel vision, about the strategic imperative

(continued on next page)

Federalism: Myths and Realities

Dr Rohan Edirisinha

The evolution of Sri Lanka's ethnic conflict can be likened to a snowball rolling down a hill. At the beginning it is small, but as time passes, it develops a momentum of its own, becomes larger and more complex, absorbs other elements, thereby making it more difficult to respond to. Sri Lanka's ethnic conflict has evolved from one based on questions of representation, grievances based on discrimination and language to a demand for decentralisation to autonomy to devolution.

More recently the focus has been on Tamil aspirations including nationhood, self-determination and confederation. The response of Sri Lankan governments has often been too little too late. If the Bandaranaike-Chelvanayakam Pact had been implemented in 1957 we might have averted the bloody and traumatic civil war that has plagued this country for many years. The Draft Constitution of August 2000 might have actually constituted the basis for a political solution to the conflict if it were introduced in the early 1990s. Furthermore every initiative that fails or is reneged upon, every set of talks and negotiations that collapses, creates its own dynamic of betrayal, distrust and suspicion that makes the next venture or round of talks that much more difficult. In terms of process, the next round of serious negotiations will, therefore, have to contend with the failed negotiations of 1994-5. In terms of substance, the failure of the Thirteenth Amendment to the Constitution will inevitably provoke a demand for cast-iron guarantees to prevent central encroachment on devolved powers in any future package of constitutional proposals. It seems likely that this will require moving beyond the frontiers of a unitary state.

Attaching labels

One of the contentious issues that surfaced in the constitution reform project of 1995-2000 was the courageous decision of the drafters to delete the provision/label in the constitution that Sri Lanka is a unitary state. There are widespread misconceptions about the terms 'unitary' and 'federal'. The terms united and unitary are often used interchangeably particularly in the Sinhala language. Therefore, those who advocate a departure from the unitary model are perceived as advocates of division and secession. The fact that the campaign for federalism is identified so closely with Tamil political demands also exacerbates the problem. It is significant to note that long before Tamil political leaders advocated federalism, the young S.W.R.D. Bandaranaike in the 1920s and the Kandyan Sinhalese representatives before the Donoughmore Commission in the late 1920s were advocates of a federal Sri Lanka.

The decision to insert the unitary label into the First Republican Constitution seems almost perverse in that it was a direct affront to Tamil aspirations at the time. The Tamil political leadership attempted to address the Tamil people's grievances through the Bandaranaike-Chelvanayakam and Senanayake-Chelvanayakam Pacts of which included substantial devolution of power. The Federal Party, the main Tamil party at the time, campaigned at the 1970 general election on a platform of federalism. Its manifesto declared, The Tamil-speaking people of Ceylon also believe that the Federal-type of Constitution that would enable them to look after their own affairs alone would safeguard them from total extinction. Only under such a Constitution could the Tamil-speaking people of this country live in dignity and with our birthright to independence as equals with our Sinhala brethren. Significantly the manifesto included a categorical assertion against separation. It is our firm conviction that division of the country in any form would be beneficial neither to the country nor the Tamil-speaking people. Hence we appeal to the Tamil-speaking people not to lend their support to any political movement that advocates the bifurcation of the country.

There was no overwhelming need to introduce the unitary label. The Soulbury Constitution contained no label, which is the practice in most constitutions in the democratic world, as will be demonstrated later. It amounted to a slap in the face of the Tamil political leadership. To make matters worse, it was introduced as Basic Resolution No. 2, very early in the proceedings of the Constituent Assembly. Basic Resolution No. 2 was introduced by Dr. Colvin R. de Silva who stated that "from the time that we can remember" Sri Lanka had been a unitary state. He defended the introduction of the unitary label on the grounds that it was essential for the well-being of the country as a whole.

The main criticism of the proposal was made by V. Dharmalingam, MP for Uduvil. He highlighted the importance of a constitution being an agreement among the people of the country and warned against the Sinhala people imposing a constitution on the Tamil people. He then presented the classic defence of a federal constitution; that it was more appropriate for a multi-ethnic, plural society. Dharmalingam argued that the Ilankai Tamil Arasu Kachchi wanted the establishment of a federal state in Ceylon, not to divide Ceylon, but to achieve unity in diversity. He predicted that ultimately Ceylon will have to be a federal state.

The unitary postulate was reinforced by Section 45 (1) of the Constitution which stated that: 'The National State Assembly may not abdicate, delegate or in any manner alienate its legislative power, nor may it set up an authority with any legislative power other than the power to make subordinate laws.'

It is important to understand what these terms, unitary and federal mean. Definition is not easy as the term embrace a spectrum of meaning. However, an attempt can be made to understand the basic ideas involved, the essence of the two terms.

(Continued from page 28)

of rapid economic integration with Sri Lanka. Otherwise minor procedural issues will hold back the unprecedented opportunity to reorder ties, they add. If Mr. Vajpayee endorses Mr. Wickremesinghe's vision of Indo-Sri Lankan relations, it could set the tone for similar arrangements in future between New Delhi and its other neighbours, they say.

During his two-day working visit to the capital, the Sri Lankan Prime Minister will meet the entire spectrum of the Indian leadership, including Mr. Vajpayee, and his key Cabinet colleagues as well as the President, K.R. Narayanan.

Colombo also hopes the tricky legal issues relating to the leader of the Liberation Tigers of Tamil Eelam, V. Prabakaran, who is wanted in Indian courts in connection with the assassination of Rajiv Gandhi, will be sorted out. The subject will naturally come up in Mr. Wickremesinghe's talks with the leader of the Opposition, Sonia Gandhi, whose cooperation would be crucial. ❐

(By C. Raja Mohan, The Hindu)

Unitary form of government

A unitary form of government is one in which all legislative and executive authority is vested in a single legislature and a single government. It has also been described as one in which the habitual exercise of supreme legislative authority is carried out by one central power. The single, central law making authority may, if it so desires, delegate

powers to subsidiary, subordinate bodies. If this is done it is done from the plenitude of its own powers. Since the central law making authority gives powers to the subsidiary bodies, it can also withdraw, curtail or change these powers unilaterally. As C. F. Strong has observed in 'Modern Political Constitutions', it does not mean the absence of subsidiary law-making bodies, but it does mean that they exist and can be abolished at the discretion of the central authority.

Federal form of government

A system for decision-making is federalist if it is an entity composed of territorially defined groups, each of which enjoys relatively high autonomy and which together, participate in an ordered and permanent way in the formation of the central entity's will. Max Frenkel's definition cited above highlights the importance of several key features of a federal form of government: autonomy; a division of powers between the centre and provinces/regions/states; the supremacy of the Constitution (for the ordered way) and provincial/regional representation at the centre. There are several characteristics which can be identified as the basic features of a federal form of government. Ronald Watts, Professor of Politics at Queen's University, Canada, has surveyed several scholarly writings on Federation and identified the following attributes as the basic features of federalism:

1. Two orders of government each acting directly on their citizens, a formal distribution of legislative and executive authority and allocation of revenue resources between the two orders of government, including some areas of autonomy for each order; in short, a clear cut division of powers;

2. Provision for the representation of regional views within the federal (central) policy making institutions; this could be in the form of provinces/regions electing a certain number of members to a second chamber of Parliament.

3. A written supreme constitution not unilaterally amendable and requiring the consent of all or a majority of the constituent units; since a federal constitution is deemed to be a compact or covenant between the centre and the regions/provinces, amendments require the consent of both.

4. An umpire to rule on disputes between the centre and the provinces/regions; the umpire is invariably the judiciary.

5. Processes to facilitate relations between the centre and the provinces/regions where responsibilities are shared.

These five essential features of a federal form of government ensure that there is substantial devolution of power to provincial/regional units and that such devolved power cannot be undermined or unilaterally reduced or abolished.

13th Amendment to Constitution

The main deficiencies of the Thirteenth Amendment to the Constitution are:

(a) Provincial Councils do not have complete control over any subject whatsoever;

(b) The Provinces have no political influence at the centre;

(c) Partly due to (b) above, the centre has taken devolved political powers back to the centre;

(d) The Constitution of Sri Lanka is not supreme. There can be (and indeed there are) numerous laws which violate the Constitution, including constitutional provisions on devolution of power.

(e) Provincial Councils can be abolished, or their powers curtailed, by the central parliament acting unilaterally.

The way to overcome the glaring deficiencies in the present Provincial Council system is to introduce a scheme of devolution of power which includes the five features described above as the essence of Federalism. Substantial devolution of power which is secure, guaranteed, which provides for a remedy in situations where such powers are exceeded or undermined, and which ensure that provincial/regional interests are represented at the centre and that the centre and provinces/regions do not have an adversarial relationship with each other, requires the incorporation of these basic features of federalism.

After the failure of the Thirteenth Amendment, it is totally unreasonable to expect the minority parties to accept a system of devolution given to devolved units by Parliament and not by the constitution, a system of devolution that can be unilaterally withdrawn by a Parliament which does not even include a second chamber to represent regional concerns. Those who want the constitution to retain the unitary label must realise the practical implications of what they advocate. They should also remember that the unity of the country was perhaps best protected when the constitution did not expressly provide for a unitary form of government and that paradoxically the seeds for a separatist movement were sown soon after the introduction of the 1972 Constitution which expressly declared that Sri Lanka is a unitary state.

Opponents of federalism must explain why they are so opposed to the concept of Federalism. What is so objectionable in the five features outlined above? Or have they created their own definition of the term, a strawman, which they then proceed to attack?

Under a federal system, sovereignty vests in the people. The people's sovereignty is exercised by Parliament and by regional/provincial councils. Under a federal form of government, Parliament can be given wide, sweeping powers to respond in situations which pose a threat to the unity, sovereignty and territorial integrity of the country.

Parliament does not have to be sovereign. The sovereignty of Parliament is an obsolete British constitutional doctrine which has been incorporated in a handful of countries and today rejected in most of them, including the

country of its origin! It is somewhat quaint that the Sinhala nationalist forces are so besotted by this British doctrine, which, incidentally, was not a feature of our constitutional jurisprudence either from 1948-1972 or from 1978 to date. In Sri Lanka the doctrine of parliamentary sovereignty existed, and that too by implication, only between 1972 and 1978.

Myth about Federalism

Another myth about federalism is that a federal form of government is always established by previously independent or sovereign states coming together to constitute a new state. This myth, coupled with the provision that Sri Lanka shall be a Union of Regions has unfortunately created the impression that under the Legal Draft of January 1996 or the Draft Constitution of 2000, Sri Lanka will be divided into quasi-independent regions which will thereafter enter into a federal arrangement. There is therefore an implicit division of the country or at least an implied recognition of independent regions.

Constitutional scholars recognise that there are two methods by which a federal form of government may be established. The more common method known as integrative federalism is where previously independent states integrate to form a new political entity. The second method known as devolutionary federalism is where a country with a previously unitary form of government opts to change to a federal

system. As Patrick Peeters of the University of Leuven, Belgium, has explained, integrative federalism refers to a constitutional order that strives at unity in diversity among previously independent or confederally related component entities. Devolutionary federalism, on the contrary, refers to a constitutional order that redistributes the powers of a previously unitary state among its component entities; these entities obtain an autonomous status within their fields of responsibility. The principal goal is to organise diversity within unity.

Belgium, Spain and Nigeria are examples of countries which have adopted Devolutionary federalism and moved from unitary to federal forms of government. The South African Constitution of 1996 has moved in that direction too.

The argument that Sri Lanka has to be first divided into autonomous regions which then amalgamate in order to adopt a federal form of government is therefore incorrect. The problem, however, is that there is an erroneous perception that this has to be done. Therefore the phrase "union of regions" has created as many problems as the term "federal" might have done. The preamble to the Australian Constitution describes the federation as "indissoluble". After the American Civil War, the Supreme Court declared that. "The constitution, in all its provisions, looks to an indestructible union composed of indestructible states".

While the Canadian Constitution like the American, is silent on the issue of secession, constitutional scholars are in general agreement that unilateral secession of a province would not be constitutionally valid. This position has been confirmed by the Canadian Supreme Court in its determination on the "Reference on the Secession of Quebec".

The constitutions of some former communist countries in Central and Eastern Europe which had a nominal commitment to a federal form of government, did contain a nominal commitment to the right to secede. Federal constitutions may or may not include the right of a state to secede. Delegation of power from either the centre to the states or the states to the centre, is incompatible with basic principles of federalism. Federal forms of government require power sharing which cannot be amended or withdrawn unilaterally; in short, power sharing with greater securty and guarantees. From the discussion above it is clear that:

(a) A State with a unitary form of government can through the introduction of devolution of power change to a state with a federal form of government.

b) Though the draft constitution of August 2000 abandoned the label "unitary", it did not introduce a federal form of government as a number of basic federal features have not been incorporated in the document.

The issues of federalism and devolution of power featured prominently in the South African constitutional debate which preceded the adoption of the Final Constitution in May 1996. Like in Sri Lanka, federalism was a dirty word", but for different reasons.

Lessons from South Africa

The African National Congress was concerned that the advent of democracy in South Africa should not merely include the capture of a formal, nominal kind of power. It believed that the power should be real and substantial, and include the power to transform society by effecting radical change. Since Federalism entails the division of power and the granting of autonomy to provinces, the ANC felt that a federal form of government would impose unacceptable limits on the central government thereby preventing the adoption of measures to erase the legacy of years of apartheid.

The Nationalist Party of F.W. de Klerk, the Inkatha Freedom Party of Mangosuthu Buthelezi and the liberal, Democratic Party lobbied strongly in favour of a federal form of government. The final version of the constitution, due to steadfast ANC opposition, rejects Federalism, but introduces substantial devolution of power which includes more federal features than the Sri Lankan legal draft on devolution.

The constitution does not refer to either of the labels, federal or unitary. It does provide, however, for a clear division of powers between the centre and the provinces. The supremacy of the constitution is unequivocally recognised as a basic value of the document. All law and conduct inconsistent with it is void.

The principle of cooperative government is recognised in the constitution and several mechanisms to facilitate such cooperation have been introduced. Provinces have the power to adopt their own Provincial constitutions as well.

Provincial representation at the centre is guaranteed by a national council of provinces which provides for the 9 provinces to be represented in the bi-cameral central Parliament, and for the provinces to be consulted before constitutional amendments are introduced.

The national council of provinces consists of 10 member delegations from each of the 9 provinces, led by the provincial premier (chief minister). Each 10 member delegation consists of 6 permanent delegates nominated by the political parties in the relevant provincial legislature and 4 floating delegates who shall be selected by the provincial legislature depending on the subject/legislation under consideration in the national council of provinces. Each provincial delegation is entitled to one vote. Therefore the 10 members delegation will have to reach consensus on any issue in the Council.

The myth about labels

Another myth promoted by the opponents of the provisions of devolution in the Draft Constitution is that a constitution must bear either the label "unitary" or "federal" and that most countries bear the unitary label. This is completely false. Many countries which have unitary and federal forms of government do not refer to these words in their constitutions. Sri Lanka did not have either label until 1972.

The following countries do not use either label: South Africa, the Philippines, Singapore, Thailand, Brunei, the People's Republic of China, the Republic of Korea, Japan, France, the United Kingdom, Italy, Norway, Spain, India, Nepal, the United States of America.

The Indonesian Constitution contains a provision that the "state shall be unitarian". Australia, Belgium, Germany, Switzerland, Canada, Pakistan, Russia and Malaysia have provisions in their constitutions which refer to the words "federal" or "federation". It is clear, therefore, that labels are not necessary.

Most countries do not use either label in their constitutions. What is more important is the nature of the State and the extent of the autonomy and powers devolved to the units.

In the Sri Lankan context, the deletion of the unitary label does not necessarily mean that the constitution is converted automatically into a federal constitution. The insertion of a federal label does not necessarily mean that the constitution is ipso facto federal. Labels do not matter; division of power does.

Whether a country is unitary or federal depends on how power is divided or shared. The need for a new initiative Sri Lanka's ethnic conflict has evolved and snowballed into a complex political challenge that requires an imaginative and creative solution. A political solution must include fundamental constitutional reform. This, in turn, should include the adoption of a federal constitution. This need not require the insertion of a federal label, but should include the basic features of federalism described above.

A federal constitution recognises unity in diversity, pluralism and autonomy within a framework of a united country. It also avoids a concentration of power in a single political institution, thereby acting as a check on authoritarianism.

While it is obviously a more complex system of government, it may, in the Sri Lankan context, if it is not too little too late, offer the only basis for a political solution to the ethnic conflict; a solution based on justice, peace and dignity. ❐

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THE PEACE PROCESS
Confronting the Issues

Dr. Jehan Perera

The saving of lives alone in the past five months of ceasefire would amount to about 1500 lives, given an average death toll of 10 per day. The fear of sudden bomb blasts does not disrupt day-to-day life. But with the passage of time the benefits of peace appear to be slipping out of the public debate and the focus of both political and media attention has been the shortcomings in the peace process. A commonly voiced complaint is that the government is giving in to the LTTE without getting back anything in return. There is a feeling that the LTTE is getting the better part of the deal. The question at the bottom line is whether the country is prepared for a return to war as the price for extracting more concessions from the LTTE than the government has so far.

Certainly there are also major problems that persist and have even got aggravated in this time of ceasefire. For instance, the international monitors have issued a ruling critical of the LTTE's refusal to open the A-9 highway to Jaffna to uninterrupted passenger traffic. Human rights organisations have challenged the main actors in the peace process for not doing enough to put a halt to continuing human rights abuses, including the recruitment of children by the LTTE. Further there has been the failure of the international monitors to give advance notice of the movements of the LTTE and Sri Lankan armed forces. These are all matters that can threaten the long term sustainability of the ceasefire.

One-sided Focus

On the other hand, the benefits of the ceasefire are being taken more or less for granted, and even being dismissed as unworthy. However, one of the most important benefits is that the polarisation that was growing between the ethnic communities has been halted. In addition, thanks to the ceasefire agreement, most roads in the north and east have been opened to passenger traffic and the markets are beginning to function. The economic embargo that reduced the LTTE controlled Wanni to a low level of subsistence has been lifted and the people there are able to enjoy some of the fruits of modern life.

It is worth noting that the increasingly one-sided focus on the shortcomings of the ceasefire coincide with significant domestic and international political developments. The high degree of politicisation in Sri Lanka ensures that considerations of party politics enter into every nook and cranny, be it in the media or civic organisations. The inability or unwillingness of the government to get the mainstream opposition on board the peace process is a major impediment. It leads those pro-opposition sections which might otherwise be supportive of the peace process tol find reasons to oppose it on behalf of their political party.

Up to the present time the government's strategy appears to be one of getting its own way in Parliament by pushing through the 18th Amendment. But now there are signs emerging that the passage of this constitutional amendment is not a certainty with minority parties such as the SLMC and CWC hesitant to give it their backing. A concern of the small parties is that the provision for MPs to cross-over would enable the larger parties to woo their parliamentarians away from them at a future time. Further, even if the requisite numbers of defectors can be found from the ranks of the opposition, this by itself will not stop the opposition from sharpening its campaign against the ceasefire agreement. It can therefore be anticipated that sections of the media and civil society that are pro-opposition will continue their aggressive campaign to discredit a peace process that is being taken forward by a government formed by a rival political party.

Need for Opposition Support

It is said that "more haste, less speed." It might seem to be easier and faster for the government to take decisions regarding the peace process by itself without having to get the concurrence or participation of the opposition. However, deciding is one thing, being able to implement the decisions taken is another. It will be easier for the government to be able to implement the decisions taken regarding the peace process if it has the bipartisan cooperation of the opposition. For instance, it can be expected that decisions taken by the government unilaterally vis-à-vis the setting up of an interim administration will be more contested if they are taken unilaterally than with the participation of the opposition.

Obtaining the cooperation of the opposition in the peace process may not be as difficult as anticipated by the government. It must not be forgotten that the former PA government took strenuous efforts to convince the people about the need for a political settlement of the ethnic conflict. PA stalwarts like Mangala Samaraweera and Dilan Perera frontally confronted nationalist sections of the Sinhalese population who opposed the devolution package the PA government put forward as the base of its solution to the ethnic conflict. They were vilified and even cursed by their opponents which included religious prelates. But undeterred the PA government launched massive propaganda campaigns to promote constitutional reform that sought to abolish the unitary constitution and take the polity in the direction of a more suitable federal one.

It appears that the main reason for the opposition's refusal to cooperate with the government is its sense of political grievance rather than a fundamental antipathy towards the peace process. This becomes clearer in statements by leading members of the opposition, such as Anura Bandaranaike, who complain bitterly about the governmental harassment of opposition members. Certainly the ongoing investigation into Mangala Samaraweera's alleged misuse of a credit card and Dilan Perera's alleged misuse of state vehicles for election purposes smacks of politically motivated harassment. This is tragic because these two opposition politicians are amongst the most liberal and progressive parliamentarians, especially when it concerns meeting the just aspirations of the Tamils and other minority communities. It is also tragic that politics in Sri Lanka is such that they will put their party's good before the national interest and continue to turn the vicious cycle.

Need for Bipartisan Approach

The other major political grievance of the opposition appears to be the governmental effort to marginalise President Chandrika Kumaratunga from the governance of the country. It was evident in her interview recent on CNN that the President repeatedly insisted that she was a part of the government and was its head, even though it is composed of members of a rival political party. In the recent speech she delivered at the United Nations last on the rights and problems of children in the world, the President took care not to criticise the peace process or even attack the LTTE. She made just one reference to the problem of child soldiers.

As a popularly elected President who has not even completed half of her term of office, President Kumaratunga is theoretically entitled to share power with the UNP government and have it reflected in practice. The President appears to be getting important international backing for her position. In particular, the President's recent visit to India and the welcome she received suggests that the Indian government would like her to play a more participative role in the governance of the country. This Indian expectation becomes more relevant in the light of the government's announcement that the Indians are offering some form of technical assistance to Sri Lanka in the fashioning of the political arrangements pertaining to the peace process, such as the interim administration for the north and east.

It is entirely plausible that the imminent appointment of an interim administration for the north and east headed by the LTTE is causing concern to the Indian authorities. It is reasonable to believe that India will be concerned about the demonstration effect that an interim arrangement in Sri Lanka might have on Indian separatist groups. Further they may be concerned that the government headed by Ranil Wickremesinghe will be less inclined to resist LTTE demands for a maximum of autonomy. An Indian concern might be that Sri Lanka should not offer its Tamil separatists a degree of autonomy that far exceeds anything that India is prepared to give its own Sates within the Indian union. In this regard, ensuring that President Kumaratunga gets back to the centre stage as a co-partner in the peace process who will be more prepared to strike a harder bargain with the LTTE may seem to be an attractive option.

Certainly the main credit for the rapid progress of the peace process in the past five months needs to go to Prime Minister Ranil Wickremesinghe and the UNP government. But the prospects of sustaining the peace process in the longer term, especially amongst the Sinhalese population, will be tremendously boosted with the participation of President Kumaratunga and the PA opposition. A government-opposition memorandum of understanding that provides both sides with mutual guarantees is inescapably necessary if the peace process is to succeed in the longer term. A bipartisan approach would not only help to unify the negotiating position of the mainstream polity and provide a sense of security to the Sinhalese population; it would also help to get the partisan political and media critics of the peace process on board.

Pressures on the PM

The centre stage of public attention over the past several weeks has been the deficiencies of the ceasefire agreement and the violations taking place despite and because of it. These have included media reports of arms smuggling, near clashes at sea, forcible recruitment of child soldiers and extortion by the LTTE. On the other side, the LTTE have been protesting that the armed forces continue to remain in schools and other public institutions. One of the motives in highlighting the LTTE's violations would be to set up countervailing pressures that would put a stop to such violations and to induce the government to take a tougher stance vis-à-vis the LTTE. A series of statements made recently by Prime Minister Ranil Wickremesinghe suggest that these pressures are beginning to take their toll on him.

He has made some promises that he will find hard to keep if he is to keep the peace process with the LTTE on track. These statements by the Prime Minister could have the effect of publicly staking out the government's position at future negotiations with the LTTE. They relate to the substantive political issues that would more fittingly be dealt with at the negotiating table than through the mass media. Three such Prime Ministerial statements are that government will not accept the concept of Tamil homelands; that the government will not set up an interim administration for the north-east without the approval of the people; and that the government will advocate that the international bans placed on the LTTE should be continued. Each of the three issues dealt with unilaterally by the Prime Minister is of great importance to the LTTE.

At a time when the peace process is getting itself built up to become a negotiation process, it might have been better for the government to discuss such positions with the LTTE. The value of negotiations is that they often permit mutually acceptable formulations to be arrived at, even in highly contentious situations. Possible reformulations of the homelands concept could be to designate the north and east as areas of traditional habitation or historical habitation of the Tamil people or a variant on the lines as already exists in the 13th Amendment to the Constitution. It could specifically address the fears of the Tamil people of Sinhalese colonisation and address the Sinhalese (and Muslim) fears that the homeland would give special privileges to Tamils. It is also possible that when the Prime Minister spoke of the interim administration being approved by the people, that it means the approval of Parliament, where the people's representatives will give it their assent.

The question is why the Prime Minister felt he needed to make public statements on these contentious issues at this time. Nevertheless, it is significant that the LTTE has not responded publicly to the Prime Minister's statements or contradicted him. While they use various channels of communication to get across their side of the picture, it is also noticeable that the leadership on both sides has not publicly questioned the bona fides of the other side. It is possible that the LTTE leadership is aware of the politics of the south, and realises that Prime Minister Ranil Wickremesinghe has to protect his political base among the Sinhalese majority. The LTTE may believe that the Prime Minister is directing the statements not at them but at his party's voter base. If so, the LTTE is displaying a commendable degree of political maturity.

People's view

Accompanying the ceasefire agreement is an ongoing attempt to erode the confidence of the Sinhalese people in the peace process not only by sections of the media but also by the combining of op-

position parties who are finding fault with the ceasefire agreement. However, field investigations at the village level reveal little or no visible opposition to the ongoing peace process. Instead it reveals that the people are quite aware of the futility of war and do not want it to resume. In the village of Danture in the Kandy district, for instance, a soldier on leave said he fully supported the peace process and so did his colleagues in the army. His views reflected the general trend. After 19 years of war, and promises of military victory, people no longer believe that a return to the path of war is a positive one. Observations that the Sinhalese majority is supportive of the peace process are often made only at an individual level. They are not reflected at the larger macro level. At the macro level what is evident is the criticism of the peace process by sections of the media and opposition political parties. This imbalance between publicly expressed opposition to the peace process and privately expressed support for it may be putting the government under pressure. A consequence of such pressure may be Prime Minister Ranil Wickremesinghe's strong public statements that would be better reserved for the negotiating table. There are two categories who are opposed to the present ceasefire agreement. One is a relatively small group of die hard nationalists who believe that a military solution should be pursued against the LTTE, and that no negotiations should take place with them. The second category consists of supporters of the opposition parties, who will support their party line, whichever way it may turn.

Thus, PA supporters who once were in favour of the devolution package would today be registering their disagreement with the ceasefire agreement for the reason that their party leadership appears to be taking that stand. But their stand either for or against the peace process is a politically motivated one, that could change when their party decides to change its stance.

Civic engagement

The missing dimension in the present peace process is the lack of involvement of those organised sectors of civil society that could potentially mobilise large numbers of people to give visible expression to their support of the peace process. An example would be the Sarvodaya Movement, which mobilised hundreds and thousands of people in support of peace. But the movement has received little or no recognition from either the government or the LTTE for its contribution to strengthening the foundation of the peace process.

Certainly the LTTE's reluctance to encourage civil society activism on behalf of the peace process may stem from its unfamiliarity in dealing with social institutions in a non-military way. In seeking to claim the mantle of sole representative of the Tamil people the LTTE has been unable to encourage independent civic activism, which is what organisations like Sarvodaya aim to do. But a democratic government should have no similar inhibitions. While the government is not trying to control civic organisations in any way, it needs to do more than allow them to do their own thing. The government needs to consciously give civil society a more prominent place in the ongoing peace process. Peace is more than an end to the fighting and destruction of war. It also involves people understand-

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ing and supporting what is happening and feeling that they are contributing to the birth of a new society. However, the manner in which the government is proceeding with the peace process suggests that its conception of peace is a minimalistic one of striking a no-war pact with the LTTE. Perhaps the government hopes that the reintegration and reinvigoration of a divided society will take place through the opening of markets and roads. This is not enough. The government needs to do more to bring civil society into the picture and encourage the media to reflect their aspiration for peace.

Victory at Local Elections

The overwhelming victory by the government at the local government elections on May 20 was another public vindication of the ongoing peace process. This was the second time that the voting public gave its vote of confidence to the new government that was elected in December 2001. The first round of local government elections two months ago in March saw the ruling party win 217 out of 222 local government bodies. The second round in May has seen the UNP make a clean sweep of all 17 local government bodies at stake, including Colombo with an unprecedented majority.

Opponents of the peace process might claim that the government's mandate is not only for peace or even primarily for peace. They would point to other issues such as the reviving of the economy. There was also violence unleashed on the opposition by government politicians in search of victory. But none of these additional factors can detract from the widespread public support for the peace process. The opposition will need to take public opinion into account if it is to redeem itself in the future. The people want the peace process to continue and that is their first priority.

Most certainly the government's string of victories cannot be attributed to its economic performance. The past six months have seen no economic miracles. The cost of living has continued to rise. There has been no significant increases in either foreign aid or foreign investment. Similarly, the government's victories cannot be attributed to electoral malpractices. In Colombo city, the elections were as free and fair as they could be, and yet the opposition performed extremely poorly.

Preliminary observations of a social survey being carried out by the National Peace Council in collaboration with Prof. Yoshiko Ashiwa of Hitotsubashi University, Japan, confirm the interpretation that people at the grassroots level are strongly in support of the ongoing peace process. The data obtained by means of field interviews in the Kandy and Matara districts show that the people at different levels of society are united in the view that the ceasefire agreement must be continued. Being located in the centre of the country and in the extreme south respectively, Kandy and Matara provide a snapshot of Sinhalese sentiment pertaining to the ethnic conflict.

Popular Support for Ceasefire

A small sampling of the views obtained is provided below. Most of those interviewed were very supportive of the ceasefire. *Buddhist monk, Masmulla, Matara:* "The people bless the Prime Minister who has brought peace. Many of our children went to war and died. Now they can live." *School teacher, Pusselawa, Kandy:* "I do not talk about politics in my village. All I know is that my family is happy with the ceasefire." *Farmer cum astrologer, Kirinde, Matara:* "How many tears of parents of soldiers would have been saved by this ceasefire. The leadership of the government will have more patriotism than us. They will not permit the country to be divided." *Mother of dead soldier, Kamburupitiya, Matara:* "The war should be stopped so that more children will not die. The mothers of dead LTTE cadre must also be suffering. Any mother would suffer the loss of their children."

Others interviewed appreciated the strategic advantages that the ceasefire brought. *Soldier on leave, Walgampaya, Kandy:* "My colleagues in the army are not against the ceasefire. How could they be? This ceasefire is good because it gets the people of the north-east out of their cocoon. Otherwise the LTTE was keeping them confined." *Woman student, Ullala, Matar:* "I like the ceasefire. My friend who is a woman officer in the army in Jaffna also likes it. We want the LTTE to enter the democratic mainstream. But I don't like devolution." *School teacher, Puhulwella, Matara:* "People feel more secure that the ceasefire will last because of American involvement."

Even those who were not enthusiastic about the ceasefire could not bring themselves to oppose it. *Mother of dead soldier, Walgampaya, Kandy:* "f what the Norwegian facilitators are doing is good for the country we will not be against it. If it is bad we will not be for it." *Opposition local politician, Kamburupitiya, Matara:* "This ceasefire is better than the previous one because of Norwegian involvement. They don't seem to be neutral, but it is good to have them, as they prevent clashes from worsening." *Wage labourer with in-laws in the east, Lalpe, Matara:* "The Sinhalese people in the east are afraid that if the ceasefire ends they will be killed. The ceasefire has been advantageous to the LTTE who can now show the world that the north-east is theirs."

Apart from supplementing the evidence that the vast majority of people are supportive of the present peace process, three other observations flow out of the research conducted so far. The first is the general absence of overt anger or hatred against the Tamil people or even the LTTE. There appeared to be an acknowledgement of another group (or nation) of people who had their own cause and their own valid reasons for fighting, dying and killing. There would surely be private pain, suffering and anger of those who had lost their loved ones due to the war, but this was a private matter. There was no evidence of community-based anger or hatred towards the other.

The second observation was that the people interviewed were by and large very well informed about political affairs in Colombo. They knew, for instance, of President Chandrika Kumaratunga's forays abroad where she had spoken in favour of the peace process, and the contrasting words and behaviour in Sri Lanka. They were also aware of the issues surrounding the proposed 18th Amendment to the constitution, especially its main objective of curtailing the Presidential power to unilaterally dissolve Parliament after a year. It was evident that the mass media, in particular radio and television had the capacity of penetrating into the farthest reaches of the country, taking the debates in the capital to the countryside.

The third observation is that where the debate in the capital was itself weak or non-existent, the people elsewhere would be equally in the dark. This was the case with issues pertaining to the shar-

ing of power and the form of the possible political solution in a multi-religious and bi-national society where Sinhala nationalism has been confronting Tamil nationalism for the past five decades. These are issues that are not systematically or rigorously discussed either in the mass media or even academia in the capital. It is therefore inevitable that the people at the grassroots should also be not conversant with those issues. However, at the present time, what is necessary is that the people should understand the need for the ceasefire agreement to continue. It is only at a subsequent stage that the issues pertaining to power sharing will become important for people to understand. Civil society organisations have to take the lead in this controversial educational process. It is unrealistic to expect the government to take this challenge at a time when it has to take up the greater challenge to keeping the LTTE in the peace process. Given the strongly positive sentiments of the people the government is well positioned to take the decisive steps necessary to take the peace process forward.

Lifting the Ban

For its part, the LTTE has done much to make it easier for the government to take the decisive next steps, the most important of which is the lifting of the ban on the LTTE. First of all, by consenting to the ceasefire, the LTTE gave up its most potent weapon, which is its unparalleled ability to wage war. Those who claim that the government is constantly giving in to the LTTE without getting anything in return need to reflect on this point. The LTTE, as a military organisation, has also given up a lot, and entered into an arena of politics that it is not its arena of strength. This point was brought out by a retired school teacher in Ovitigama, Matara who said that, "Mr Prabakaran's media conference was reassuring to many Sinhalese. They said that he may be good at war, but not at politics."

Recently the LTTE made another important concession to the government, when its political head, Mr Tamilchelvan met with the head of the government's Peace Secretariat Mr Bernard Gunatilleke in the LTTE-controlled Wanni to discuss issues pertaining to the non-implementation of the ceasefire agreement. The LTTE had been taking the position that the non-implementation of certain aspects of the ceasefire agreement was going to delay the start of direct negotiations in Bangkok with the government. But in agreeing to talks with even a non-ministerial government delegation the LTTE appears to have compromised significantly on its earlier insistence that the government's ban on it should be lifted prior to any direct talks with it.

If the results of the local government elections and surveys of public opinion are to be believed, there is unlikely to be any substantial mass-based opposition from the people at the grassroots level. Accordingly with the spirit of compromise taking pride of place, the time appears to be ripe for the two sides to publicly announce the dates for peace talks to begin in Bangkok and for the government to lift the ban on the LTTE.

Today the LTTE's insistence that the ban on it should be lifted prior to peace talks has become more compelling. This is so especially following its indirect mandate from the majority of Tamil peo-

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ple to be their representative at the negotiating table at the last general election, and the acceptance by most Tamil political parties of this position. At a time when there are no significant obstacles from the level of the people to the forward movement of the peace process, it would be unconscionable that legal (and partisan political) obstacles should block the way to peace.

From a comparative international perspective, getting a successful guerilla movement away from the battlefield and to the negotiating table is a rare occurrence. With the ceasefire the war has been stopped, but a lasting peace has yet to come. Getting the LTTE to commit itself to political negotiations and to a date at which it will sit with the government to talk about an interim political solution will help to consolidate the foundations of peace in Sri Lanka.

A Highway of Peace

For a two and half year period during 1997-99 the former government tried to re-open the A-9 highway that connects the last government held town of Vavuniya in the south with the city of Jaffna in the north. The military operation conducted under the name of Jayasikuru was one of the longest military offensives in modern history. Despite periodic announcements by government leaders that a percentage of the military operation had been successfully concluded, going upto 96 percent by mid-1998, the end came unexpectedly. In a matter of five days at the close of 1999 the LTTE re-took virtually the whole of the territory secured at great cost by the Sri Lankan army. In addition, they launched a counter-offensive that took them to the very outskirts of Jaffna.

During the years of operation Jayasikuru the A-9 highway came to be known as the "highway of death". The signs of distraction are there to be seen everywhere on the road - in the burnt out hulks of military vehicles, in rusty barbed wire that once secured military camps, in the gutted and shell pocked buildings of people, schools and commercial establishments and in the stumps of thousands of coconut and palmyrah palms whose crowns were shorn of by artillery shells.

The re-opening of the A-9 highway has been one of the visible accomplishments of the ceasefire agreement signed by the government and LTTE. Several thousands of Sri Lankan and LTTE soldiers lost their lives in the attempt to control the road. But it was finally re-opened without a single life being lost and is now in the process of being repaired. In some places by the side of the road are mounds of red gravel to be used in repairing it. Sections are being newly tarred. Despite bumps the road is generally motorable.

According to a senior army officer commanding one of the few checkpoints on the road about a thousand vehicles are now using the road every day. He had a positive assessment of the ceasefire agreement saying, "Today is better than yesterday, and is better than tomorrow would have been" comparing the pre-ceasefire period with the present. When asked about the army's relationship with the LTTE, he said that neither side was provoking the other. When in government controlled areas the LTTE cadre would follow the regulations imposed by the ceasefire agreement.

A Boon to Pilgrims

The re-opening of the highway has been a boon to Buddhists from the south who are able to go on pilgrimages to the ancient Buddhist temples in the Jaffna peninsula. Several buses with pilgrims of all ages could be seen stopped at the checkpoints. It often appeared that the longer delays were at the army checkpoints, which needs to be addressed, to make the journey a less time consuming one.

Despite the massive, shocking and sobering destruction of wealth and property that is so visible the A-9 highway has become one of peace and amity today. Indeed, at one of the main army checkpoints are painted sign boards welcoming people to the A-9 highway of peace and amity. Children living by the side of the road wave at passing vehicles. Perhaps to children the past matters less than the present, and they are joyful that in the present there are new faces, new dresses and new vehicles. But the warm greeting is not only limited to children.

It is not only children who demonstrated warmth to visitors from afar. In the evening after reaching Pandertharippu which is about 17km away from Jaffna city, we went to the communication centre in the village to make telephone calls to Colombo. The communication centre was located in a small bakery outlet and consisted of only a single telephone. While waiting for a connection which took about 10-15 minutes for each telephone call, we decided to taste some of the 'home made' biscuits. But when we asked how much they cost, to pay for them, the owner declined. They were for free, he said. He only charged us Rs. 50 for three phone calls to Colombo even though he had to spend over half an hour trying to get us the connections. Clearly the people of Jaffna are happy to be connected to the larger world of non-military Sri Lanka from which they were disconnected for the past 15 years.

The North-South Connection

But the terms on which the north-south connection will be made remains to be negotiated. It is not likely to be easy and will not be done either by those Buddhist pilgrims or by the Pandertharippu shop owners. Some of the civic leaders in Jaffna were very open and firm in their conviction that the borders of Tamil Eelam and its legalization are all that remain to be negotiated. After the pulverization of their cities, towns and villages they do not wish to have anything to do with the Sri Lank state under whose governments such destruction occurred.

On the other hand is the aspiration of the Sinhalese, whose sense of identity is based on the consciousness of an undivided island that was called 'Dhammadipa' in the past, and to which those busloads of Buddhist pilgrims were paying homage with their arduous journey. And also the aspirations of the Muslims who were expelled from Jaffna without even being allowed to take their movable possessions with them. They were expelled by a Tamil nationalism that could see no more than its own interests and aspirations. Perhaps mirroring these seemingly irreconcilable aspirations, in certain parts of Jaffna the army was to be seen cutting down coconut trees to prepare new bunkers and to strengthen old ones.

The future political negotiations, when they come, are bound to be difficult. The struggle for power and there are also other powerful forces involved, such as international actors. The recent agreement regarding the leasing out of the Trincomalee oil tanks to India is one example. The defence agreement to be signed with the United States is another. The implication of all these will most probably go beyond the self-determination of all Sri Lankans, not only the Tamils. ❐

'Illiberal' peace?

Jayadeva Uyangoda

A particularly complex problem of Sri Lanka's present peace process has now entered the center of political debate. It concerns the fate of the people of the North-East when the province is sooner or later subjected to the LTTE control under the proposed interim administration.

Many human rights groups have expressed serious doubts about the wisdom of the very idea of an interim administration under LTTE hegemony because of its likely disastrous consequences for human rights, democracy, pluralism, accountability and the rights of the regional minorities. The UTHR in its latest report has once again dramatically highlighted these concerns by branding this negative trajectory as 'totalitarian peace'.

At the heart of this debate is a profoundly complex issue: how should the Sri Lankan state in search of peace handle the militaristic LTTE, which has also joined the peace process on its own terms? In the current debate on the peace process, many critics continue to characterize the LTTE as a 'fascist' entity with its own uniquely unreformable qualities. They do it with good reasons. The enduring commitment to the goal of a separate state, the unwavering belief in the efficacy of the military path to achieving that goal, subjugation of political options to military objectives, ruthlessness in the deployment of violence, terror and deception as means to power, and the calculated disregard for even elementary norms of democracy, human rights and pluralism are often posited to be some key characteristics of this unique movement called the LTTE. These certainly are also some of the key features that have distinguished the LTTE from all other militant Tamil groups.

The question with which the Sri Lankan state is confronted at present concerns making peace with an illiberal oppositional entity.

The 'totalitarian peace' thesis describes the outcome of that peace for the people in the North-East provinces once the LTTE gains control of the region under the proposed interim administrative body. The way in which many human rights activists problematize this peace dilemma seems to assume that totalitarian peace could be the inevitable outcome of an unequal political exchange between a "weak liberal state" and a "fascist" entity. It posits that the weak liberal state is on the way to capitulate before the regional fascist force and that that capitulation would mean the state abdicating its political responsibilities for the citizens living in the region.

A slightly different trajectory can also be mapped out to theorize the outcome between the present political engagement between the government and the LTTE. In that reading, the present exchange between the government and the LTTE can be interpreted as one between a 'relatively illiberal state' and an 'essentially illiberal' regional entity. Its worst outcome is most likely to be some form of 'illiberal peace', which may well be a transitional phase in Sri Lanka's emerging process of state formation.

It also appears that there are no alternatives to this transitional phase unless there emerges a new political force in Tamil society that is not only democratic and pluralistic, but can also effectively replace the LTTE. But, there is hardly any space for such a change to occur in Sri Lankan Tamil politics as long as the Tamil society continues to be crushed under the weight of war and violence. Meanwhile, the LTTE's essentially illiberal character has been largely concretized under social and political conditions of protracted war. The war has destroyed the social foundations of the Tamil polity and they cannot be easily repaired. In class terms, the Sri Lankan Tamil society in the North-East has been atomized and torn asunder. A total economic collapse, population displacement, out-migration and the absolute destruction of commerce, trade and manufacture have ravaged its class structure. At present, there is no class center of gravity in that society.

Nor is there a civil society as such. If at all, it exits underground, or abroad. As some anthropological studies on the Eastern province indicate, the only pockets of community autonomy remaining in the North-Eastern society, even with a limited political space to function, are linked to the church, the kovil and the mosque. In my own visits to these areas, I have also found how the religious community has survived as the only functional form of civil society. The impact of all this on the political society of Sri Lankan Tamil community has been quite harsh. Indeed, the Sri Lankan and Indian states as well as the LTTE have directly contributed to the collapse of the Tamil political society in the island's North-East. Parallel with this continuing process of social dislocation for about two decades has also been an acute political crisis, as characterized by the collapse of the Sri Lankan state in the Northern and Eastern provinces. When the state there collapsed, the LTTE and a few other Tamil paramilitary groups began to run the bare, coercive functions of the state primarily though open violence.

Professor Charles Tilly's classic characterization of the early state as a protection racket has a remarkable application to these contemporary conditions of Sri Lanka's North-East. As many recent examples from Africa, the ex-Soviet Union and Yugoslavia demonstrate, in the absence of the formal state as well as in the conditions of civil war and the collapsed state, predatory networks for taxation, extortion and protection come to replace the agencies of the state. It is quite interesting to note that the agencies of the state as well as guerilla groups, the latter claiming to represent the interests of the people, have been sharing these predatory functions, with a great deal of rivalry and competition for many years.

The UTHR situation reports have extensively documented this phenomenon of 'state as a protection racket' under conditions of protracted civil war. The above indeed presents a formidable challenge which any project of peace in Sri Lanka's Tamil society is

certain to confront. Indeed, one infinitely complex task involved in a comprehensive peace project is the restoration of the formal Sri Lankan state in the two provinces while re-introducing liberal political institutions as well as practices.

Such a journey from the collapsed state to a 'liberal state' is a profoundly difficult one. It requires the incorporation into the formal state structures of a range of competing agencies of power, violence, extortion and protection rackets. At one level, there already exist rudimentary structures of two competing states that are not 'liberal' by any means - the military-administrative structures of the collapsed Sri Lankan state in the region and the military-administrative structures of the LTTE-led quasi state.

In a social sense, both are quasi states in the North-East and their anticipated negotiations for co-existence and mutual accommodation would carry immense risks for both sides. At another level, there exists the less difficult task of dealing with the agencies run by the local and international donor NGOs as service delivery networks. They constitute a quasi civil society in the North-East. The fear among many is that the LTTE would try to incorporate this quasi civil society too into its political structures, leaving no room for social autonomy. These apprehensions clearly indicate that the post-MoU state formation process in Sri Lanka's North-East is quite serious than many of supporters as well as critics of it might want to acknowledge. Thirdly, the new political structures in a post-settlement process, if they are to be sustained as integral entities of the Sri Lankan state, need to locate themselves in some social-class foundations. Arrangements for post-civil war political power without a class supporting the new order may run the risk of being tenuous and transitory.

For a post-conflict 'liberal' political order in the North-East to sustain itself, it will need the backing of a Tamil regional bourgeoisie that is organically linked to the Sinhalese bourgeoisie and the Sri Lankan state. All these represent a historical agenda that is hard to fulfill in the short run for any society that is emerging from a protracted civil war. Indeed, historical conditions cannot be created overnight. This problem constitutes a key dilemma of the liberal peace agenda in post-civil war societies. But, should the people in the North-East and Sri Lanka endorse and tolerate an 'illiberal' peace? Answers to this question appear to divide many civil society activist groups in Colombo. A constructive approach would be to conceptualize the post-civil war peace and state formation in transformatory terms. The idea of transformative peace could offer a creative way out from the divisive debate on 'liberal peace' vs. 'totalitarian peace'.

A transformatory peace agenda can focus on a broad political program for re-constituting the state not merely in the sense of restoring the state in the North-East, but also reforming the Sri Lankan state in general. This view could be easily anchored on the premise that a further democratized state in Sri Lanka would provide a greater impetus for post-conflict democratic state formation in the North-East.

Indeed, the present debate on the interim administration, which remains rather thin in quality, can be widened when it is linked to a broad process of transformatory peace and democratic state formation. Restoration of the state in the post - MoU North-East immediately requires the setting up of non-coercive state structures that are to perform the so-called normal functions of the state - taxation, service delivery, law and order and so forth. In this sense, the interim administration should be seen as a major step towards creating civilian institutions in Sri Lanka's post-civil war North-East.

But, there is the negative possibility of the LTTE subjecting it to its military-coercive apparatus and transforming it to suit its own long-term political objectives. This is a point being made in Colombo by many critics of the MoU. If the LTTE is to perform civilian functions of the state through an interim council, that transition could ideally be effected through a series of negotiated treaties between the Sri Lankan government and the LTTE, if necessary supervised by the international community.

Actually, there is no need for mediation-negotiation process to produce new results only at the big Bangkok meeting. In meaningful conflict resolution, mediation, negotiation and accord-making are continuing processes that can occur at multiple levels.

In fact, the Sri Lanka's ethnic politics has once again entered a phase of consultation, negotiation and deal-making - a period of multi-track negotiations. Ethnic political leaders, international bankers, bus operators, labor contractors and investors - they all go Vanni to negotiate their interests. The government must utilize this opening to consolidate its political engagement with the LTTE through a series of multi-level negotiated accords.

As the National Peace Council has already proposed, human rights protection arrangements should be integral to such treaties with the LTTE. If the present MoU can survive the emerging challenges for some time to come, accords with the LTTE, with greater international supervision and monitoring, could provide democratic and political safeguards of considerable value.

Meanwhile, in the absence of immediate and effective domestic options to check the LTTE's totalitarian politics while facilitating the democratic state formation in the North-East, further internationalization of the political solution might not be a bad idea. ❐

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Protection and Monitoring of Human Rights after the Ceasefire

Ian Martin

(Text of the Report commissioned by the London-based International Working Group (IWG).by Ian Martin, former secretary general of Amnesty International, who headed human rights missions to conflict zones across the globe - East Timor, Bosnia and Haiti among others - was in Sri Lanka from March 26 to April 3)

The Agreement on a ceasefire between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) which came into effect on 23 February 2002 provides (Article.2.1) that "The parties shall in accordance with international law abstain from hostile acts against the civilian population, including such acts as torture, intimidation, abduction, extortion and harassment". While warmly welcoming this Agreement, some civil society actors in Sri Lanka have noted that other internationally accepted human rights standards are not reflected in the Agreement, and have argued that further human rights commitments and arrangements for monitoring their implementation should be matters of priority. The International Working Group on Sri Lanka (IWG), as part of its work to support efforts for a peaceful settlement to the conflict in Sri Lanka, has long urged both sides to respect "fundamental standards of humanity" as a peace-building measure. Following the Agreement, the IWG asked me to undertake a visit to Sri Lanka to explore the scope for further commitments on human rights and humanitarian law and provisions for appropriate monitoring.

Visit and Discussions

I visited Sri Lanka from 26 March to 3 April. As regards the parties and facilitators of the peace negotiations, I met Prime Minister Ranil Wickremasinghe and Professor G.L.Peiris, Minister and Government Spokesman on the Peace Process; Karikalan, deputy leader of the political wing of the LTTE; Norwegian Ambassador Jon Westerborg; and the head of the Sri Lanka Monitoring Mission, Trond Furuhovde. Among members of other political parties, I met Mahinda Rajapakse, Leader of the Opposition; former Foreign Minister Lakshman Kadirgamar and others advising President Chandrika Kumaratunge on the peace process; Rauff Hakeem, Leader of the Sri Lanka Muslim Congress; M.Tilvin Silva, General Secretary of the JVP; representatives of each of the components of the Tamil National Alliance (TNA) and of PLOTE. I travelled to Vavuniya and Batticaloa, where I met local government parliamentary and civil society representatives, and from the latter visited LTTE-controlled territory. In Colombo, I also met Lt. Gen. Ballegalle, Army Chief; and Godfrey Gunatilleke, member of the National Human Rights Commission. I met with the head of the European Union delegation and heads of mission of Canada, Japan, Sweden, UK and USA; and with the Acting UN Resident Coordinator (who is the representative of UNICEF), the representative of UNHCR, other UN agency representatives and the head of delegation of the ICRC. My visit was arranged and carried out in close cooperation with Sri Lanka civil society representatives, and I had discussions, collectively or individually, with members of the Peace Support Group, the Centre for Policy Alternatives (which facilitated my visit), the Centre for Human Rights and Development (whose Coordinator accompanied me on my visits out of Colombo), the National Peace Council, the Civil Rights Movement, the International Centre for Ethnic Studies, the Consortium of Humanitarian Agencies, and others.

Peace Process and Human Rights

I found a strong consensus on the importance of ensuring respect for human rights, not only as a matter of principle, but also as a matter of urgency at this stage of the peace process, in order to contribute to its further success. The legacy of the past two decades includes the massive human rights violations suffered by thousands of people of almost every ethnic, social and religious group in Sri Lanka. If the hopes which are now so strong for lasting peace are to be fulfilled, that peace must be rooted in a universal and unshakeable commitment that the fundamental human rights of everyone living in Sri Lanka will be respected. This is a commitment which must be made by all parties and by all those involved in negotiating and sustaining the peace.

I expected that some might suggest that the peace process should be consolidated before human rights issues are pressed, lest the latter in some way disturb the former. However the view expressed on behalf of the Norwegian facilitators, by members of the government, and by all but a very few civil society voices was the opposite: that attention now to human rights issues was entirely supportive of the peace process, and that any early tolerance of human rights abuses would threaten the process. My own conviction that this is the case was strengthened by my visit to the east, in particular, which made me aware of the potentially volatile situation in so-called "cleared areas" - Tamil areas which border on territory controlled by the LTTE (so-called "uncleared areas"). Here government security forces with a record of past human rights abuses remain present, in a state of some uncertainty regarding their current role; the Muslim community is fearful of its place in the new dispensation; the formerly armed cadres of other Tamil groups suddenly find themselves without means of support and uncertain of their future political role; and these and Tamils who had chosen to move out of "uncleared" areas are apprehensive of growing LTTE control as its cadres are allowed under the Agreement to enter and become politically active. Allegations of human rights abuses, perhaps surrounded by accusation and counter-accusation as to the perpetrators, will need prompt and objective investigation to keep them in proportion and to ensure action by the relevant chain of command to prevent their escalation. If there are reports of

escalating abuses from these areas or from the areas already fully controlled by the LTTE, these will enter the political debate in the south in a manner which will both give rise to legitimate concerns and also provide those who are fundamentally opposed to the current direction of the peace process with a means of discrediting it.

Some reluctance to support further human rights guarantees and monitoring comes from those who are most sympathetic to the LTTE and suspect that some of those who advocate them are seeking to undermine the LTTE's future administrative control of the north and east. It is true that there are currently few allegations of fresh abuses by government security forces, and attention is thus focussed on allegations of child conscription and extortion by the LTTE. First, however, it is important (and consistent with the government's commitment and recognition that the road to peace will be a difficult one) that measures should be in place to check any possible re-emergence of abuses on the government side. Second, commitments expected of the government should extend to addressing the continuing consequences of past human rights violations, in particular an urgent review of the cases of persons detained (whether convicted or unconvicted) under the Prevention of Terrorism Act (PTA), and compensation to victims or the families of victims. The heavy burden of past human rights violations will also soon require a reflection on the manner in which truth and justice can be established - a reflection which has already commenced within civil society - but this was beyond the scope of my visit.

Logical Corollary

Moreover the expectation that the LTTE will make further commitments to human rights guarantees and accept appropriate monitoring arrangements should not be seen as antagonistic to the LTTE, any more than the equivalent expectation of the government is antagonistic to it. It is the logical corollary to the recognition of LTTE control, present and future, over territory and population. The LTTE has long stated its acceptance of norms of international humanitarian law, but with the suspension and intended termination of armed conflict, it is increasingly the norms of international human rights law which become applicable. The LTTE leadership has stated publicly that it is concerned about allegations of anti-Muslim activity, child conscription, extortion and abduction, and wants to take action if any LTTE member is found guilty of these. In my meeting with a senior LTTE representative I observed considerable sensitivity to such allegations, and argued the usefulness of objective monitoring arrangements to a leadership committed to prevent them.

A ceasefire agreement cannot necessarily be expected to contain extensive human rights commitments, although civil society actors in Sri Lanka have been inspired by the extensive human rights agreement reached between the parties to the conflict in El Salvador: this preceded the ceasefire there, and its implementation and international verification are judged to have contributed significantly to the eventual success of the overall peace negotiations. The inclusion in the Sri Lanka Agreement of Article 2.1, quoted above, is to be welcomed. There are however major human rights guarantees of immediate relevance to the situation in Sri Lanka and the peace process which it does not address. These include freedom of movement (beyond the specific provisions included in the Agreement in relation to LTTE members); freedom of association, and from arrest for exercise of lawful political rights; freedom of expression and of the press; and guarantees to enable displaced persons to return to their homes and carry on their economic activities.

Human Rights Commitments

It is highly desirable that further human rights commitments be made explicit as soon as possible. The LTTE has made clear that it requires the government to lift its proscription before talks begin; the moment when the government ceases to regard the LTTE as a terrorist organisation would be an appropriate moment for the LTTE to make further commitments regarding its respect for human rights, and for the government to renew its own human rights commitments and pledge itself to measures such as the review of those detained under the PTA. (The government has already indicated willingness to review some categories of PTA detainees, and this needs to be developed into a clear and comprehensive policy remedying past injustices.)

It is expected that a key aspect of the forthcoming negotiations will be the establishment of an interim administration for the north and east controlled by the LTTE, perhaps for a period of two years. This will present the essential moment for substantial human rights guarantees. It remains to be seen what arrangements can be made in this context for policing and the functioning of the justice system, not only to assure basic law and order but also to provide the protection of constitutional guarantees of fundamental rights. It seems inevitable that during a period of de facto administration these will fall short of the full human rights protection to be expected of ultimate constitutional arrangements guaranteeing respect of Sri Lanka's international human rights obligations. A detailed agreement on human rights commitments and effective arrangements for their monitoring would be essential in this context.

Such guarantees and arrangements can be expected to be of particular concern to donors. As it becomes possible to move beyond immediate humanitarian aid to longer-term development assistance in the north and east, donors will need - while recognizing a situation that will for some time remain exceptional - to ensure that there is broad respect for the governance and human rights criteria they now regard as normal in an aid relationship. This will apply to norms of democratic functioning on the part of the interim administration itself, in order to ensure accountability in the disbursement of development aid, and to its respect for the independent functioning of non-governmental organisations.

Human Rights Monitoring

Human rights commitments will be rapidly discredited unless they are respected in practice. Especially in the special circumstances of the peace process this requires effective monitoring arrangements. Under the ceasefire Agreement, the Sri Lanka Monitoring Mission (SLMM), composed of representatives from Nordic countries (with

a head appointed by the Norwegian government), is responsible for verifying on-site the fulfillment of the commitments in the Agreement. This of course includes the human rights commitments in Article 2.1. The role of the SLMM is of central importance to the peace process, but it has a number of limitations as regards human rights monitoring. First, its mandate is limited, in that (as noted above) the Article 2.1 commitments do not extend to some key human rights issues. Second, its geographical scope is limited to six named districts, excluding Kilinochchi and Mullaittivu. Third, its personnel resources are limited, both in numbers and as regards their orientation to human rights monitoring rather than military or other aspects of ceasefire monitoring. Moreover, the monitoring structure of committees comprising government and LTTE nominees together with an international monitor may discourage individuals from bringing complaints of human rights violations if they feel they risk identifying themselves to the party complained against.

It is of course desirable that the SLMM play as full a role in human rights monitoring as is possible. While I was in Sri Lanka there was some confusion in the minds of civil society actors regarding the extent to which the SLMM would be open to complaints from individuals on human rights matters. Article 3.13 of the Agreement, providing that "Guidelines for the operations of the SLMM shall be established in a separate document", has created the expectation that its procedures would be known publicly. Standard Operating Procedures have been issued to members of the SLMM, but these are internal, and it is not known to what extent and in what manner they address the issues most relevant to human rights monitoring. It would be desirable for such Guidelines to be made public, and to ensure that training as well as guidance appropriate to this function is available to monitors. Consideration should be given to increasing their numbers and including personnel with particular experience in human rights monitoring.

However the SLMM has a broad responsibility in relation to the ceasefire, and too much should not be expected of it as regards human rights monitoring. It is also recognised that there are problems inherent in monitoring so closely linked through the Norwegian government to the on-going facilitation of the negotiations. Thus the Norwegian Ambassador expressed to me the view that parallel, complementary human rights monitoring would be desirable, and would in no way conflict with the role of the SLMM or be otherwise unhelpful to the peace process.

International Monitors

The Prime Minister and other government representatives, and the members of the People's Alliance and other political parties, all stressed the importance of respect for human rights and the desirability of further monitoring arrangements. The Prime Minister informed me of the government's intention to invite all parties in Parliament to join in establishing a committee to monitor the implementation of the Agreement, which it was envisaged would have local representatives and work closely with civil society organisations. The National Human Rights Commission has already experienced an increase in complaints from the north and east (probably representing an increased willingness to submit complaints rather than necessarily an increase in violations). Civil society organisations which have undertaken monitoring during elections were considering planning to undertake human rights monitoring in the new context.

I consistently asked about the possible desirability of increasing the number of international monitors on the ground beyond those deployed by the SLMM. Most of my interlocutors felt that this was highly desirable. International personnel have a greater possibility of having a dissuasive effect on human rights abuses and may be more readily trusted than local monitors. Moreover, in view of the past experience it is likely to be some time before local monitors can be fully confident to operate freely on both sides of the line of control in former conflict zones. The confidence of local monitors and that of the local population is likely to be enhanced if there is an international presence.

There are a number of ways in which international human rights monitors could be associated with current or envisaged arrangements, beyond the SLMM. An official body, including the proposed parliamentary committee or the National Human Rights Commission, could invite such assistance, which could then be provided through an intergovernmental organisation of which Sri Lanka is a member - the United Nations or the Commonwealth. In view of the reluctance of previous Sri Lankan governments to invite any expanded UN role, I asked about the acceptability of - for example - technical advice on human rights monitoring through the Office of the High Commissioner for Human Rights (OHCHR) and/or the use of UN Volunteers as human rights monitors. (UNVs have played such a role effectively elsewhere, and are already deployed in the work of UNICEF and UNHCR in Sri Lanka.) This was explicitly regarded as an acceptable possibility by the Prime Minister, who referred to the very different attitude of his government to the role of the UN, indicated by his request to the Secretary-General to send a UN needs assessment mission to Sri Lanka.

A possible alternative approach would be to associate international monitors within the framework of a civil society monitoring network. This would build on the precedent set by the work of Sri Lanka civil society groups in election monitoring, where they have invited and organised international participation. In this case the international monitors might be organised through international NGOs - for example Peace Brigades International (PBI), which previously operated in Sri Lanka over many years.

A number of interlocutors expressed the hope that the IWG could play a role in proposing arrangements for international monitors to appropriate international organisations, as soon as the different possibilities outlined above have taken shape, and the role of official bodies and civil society networks have been clarified.

I am convinced from my visit that further human rights guarantees and monitoring arrangements can only be helpful to the peace process; that international participation would be greatly strengthen such monitoring; and that the government and most key actors themselves see this as necessary. The attitude of the LTTE needs further exploration beyond the single meeting I was able to have, but the encouraging statements from its leadership provide a basis for persuasion that they too should regard this as helpful and not antagonistic.
(April 2002) □

Neither war nor peace

RAM MANIKKALINGAM

SRI LANKA is between war and peace. There are three scenarios that can emerge from the ceasefire agreement between the Tamil Tigers and the Sri Lankan government: war, peace, or no war-no peace.

War scenario

The war scenario echoes previous failed attempts at turning ceasefires into more long-term settlements. Whether one blames the Tigers or the government, the basic dynamic entails a re-arming, re-cruiting and re-grouping by both sides. There were signs of this in the run-up to the ceasefire agreement on the Tiger side. As Prime Minister Ranil Wickremasinghe was preparing to travel to Vavuniya to sign the agreement, the Tigers were hurriedly landing armaments. Similarly, Amnesty International reported the aggressive recruitment of child soldiers by the Tigers. Other reports refer to the Tigers raising funds through extortion, particularly from Muslims living in the Eastern Province.

The Sri Lankan government is also planning a recruitment drive and the purchase of new equipment for the armed forces. These measures by themselves do not indicate that the parties are opposed to peace. Preparation for war is inevitable in any ceasefire situation because there is no guarantee that a ceasefire will evolve into a permanent solution. Still, this dynamic may not be stable, particularly if both sides continue preparing for war, without implementing provisions of the ceasefire agreement. One side or the other may sincerely, or slyly, utilise a delay in implementing the ceasefire as a violation of it, to begin fighting.

While the presence of a neutral third party mediator makes this situation different from previous ones, this scenario unfortunately is still very possible. To get beyond it, the government will engage the Tigers on a series of short-term humanitarian issues - such as humanitarian demining and medical services - and medium-term developmental issues - such as the restoration of roads and irrigation. This will lead to the second scenario.

No war-no peace scenario

The Tamil Tigers will utilise the negotiations over humanitarian and development assistance to extend their administrative influence over Tamil majority areas that have hitherto been controlled by the government. They will ask the government to cede control over the Northeast to them in the form of an interim council. This de facto rule by the Tigers will be combined with a massive infusion of rehabilitation and reconstruction assistance from the Sri Lankan government and the international community. It will lead to large-scale humanitarian schemes, medium-scale development projects and significant market integration of the Northeast with the rest of the country. There will be a general easing in the difficulties faced by civilians living in the Northeast in particular, and the country in general, because of the absence of war. These measures can be taken administratively by the government, that is, through the use of executive powers, and will not depend on constitutional reform or even legislative support.

The basic bargain between the government and the Tamil Tigers will be as follows: The government grants de facto control of the Northeast to the Tigers, along with economic assistance and the space to begin development work. In exchange, the Tigers desist from fighting.

The Tigers will seek to extend this scenario in the hope that the interim council will be transformed, with the passage of time, into a de facto separate state. Any attempt by President Chandrika Kumaratunga or Prime Minister Wickremasinghe to thwart this runs the risk of reverting to war. The Tigers will portray the efforts to prevent the formation of a de facto separate state as a disruption of the peace process and start fighting. However, if President Kumaratunga and Prime Minister Wickremasinghe cooperate in addressing Tamil political aspirations while thwarting Tiger separatist ambitions, they may help take the process forward to the peace scenario.

Peace scenario

This involves resolving three conflicts: the armed conflict between the Tigers and the armed forces of Sri Lanka; the political power conflict between the three main forces that currently have a stake in political rule in Sri Lanka - the Tamil Tigers, the United National Party (UNP) and the People's Alliance (P.A.); the ethnic conflict among Tamils, Sinhalese and Muslims. The current peace strategy of the UNP-led government appears to be based on solving one conflict at a time, beginning with the armed conflict. While it would be preferable, in theory, if each of these solutions could be tackled one step at a time, the reality is more complicated. A solution to the armed conflict may require or be assisted by a breakthrough in the political power conflict. And a solution to the political power conflict may require some progress in resolving the ethnic conflict. Thus these three conflicts, or at least elements of it, will often have to be addressed simultaneously. And the level of uncertainty can be quite high. Still, many elements of a solution already exist - the new ceasefire agreement signed by the current UNP-led government and the political package drafted by the previous P.A.-led government. These elements can be stitched together in a way that may enable Sri Lanka to bootstrap its way to a solution. Sadly, the failure of the two major political parties to collaborate effectively in resolving the conflict makes the peace scenario the least plausible.

Ram Manikkalingam is a Fellow of the Open Society Institute and an Assistant Director at the Rockefeller Foundation based in New York. This article expresses his personal views and not those of either of the institutions. ❐

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Rights of Muslims and the Peace Process

Dr. M Y M Siddeek
Council of North-East Muslims of Sri Lanka in Britain (CONEMS)

When the Sri Lankan national ethnic issue reached its height, a number of alternative proposals were put forward by various local and foreign interested parties to solve it. One of the proposals was to establish a Council with regional autonomy to the Tamils in a merged North and Eastern region of Sri Lanka.

At the beginning, the Sri Lankan Muslims vehemently opposed to the mer-ger of the two provinces for valid reasons. Later on, when the environmental factors changed, the Muslims accepted the merger of the Northern and Eastern provinces conditionally. The condition was that when the two main warring parties agree to a North and East merged solution to the on going ethnic issue, a Muslim Provincial Council should be created within the merged region carving out non-contiguous Muslim majority Paradesa Saba areas with Ampara district as the base. To facilitate this, they also proposed that the Pradesa Saba areas be re-demarcated to create clear Muslim majority Pradesa Saba areas.

When obstacles came from many corners for this proposal, the Muslims proposed creation of South-eastern Regional Council. Now what they demand is that at least a small separate devolved unit, comprising the electorates of Kalmunai, Sammanthurai and Pottuvil, should be created when there is a solution to the ethnic issue, for them to maintain their distinct ethnic identity and safeguard their rights and ensure their security. However, it is a pity that their expectations and aspirations are totally ignored by the Sri Lankan government, LTTE and the Norwegian mediators although the Muslims are the major victims of the nearly two decades old Sri Lankan ethnic conflict.

In fact, the above proposals from the Muslims side reveal the fear the Muslims have when there is a solution for the Sri Lankan ethnic issue and power is devolved to the LTTE and the Tamil leadership. It is also a way of expressing the suspicions that the Muslims have about the representatives of Tamils and the LTTE. The reason for this is the way the Tamil leaders treated the Muslims in the past since independence in 1948 and the terrorism of the Tamil militant movements against the Muslims since mid-1980s. The Tamil leaders and the LTTE failed to approach the Muslims tactfully in the past. Although they have issued a few statements and made promises from time to time in the past just to satisfy the Muslims, they have not done anything effectively to allay the fear of the Muslims in any solution to the ethnic issue.

What do the Muslims expect now? What the Muslims expect at a time when there is an 'understanding' between the Sri Lankan government and the LTTE is that a conducive situation should be created where the Muslims can trust the Tamil leaders and the LTTE and also the fear that the Muslims have should be dispelled.

There is a fear psychosis among the Eastern Province Muslims that they will be evacuated from their homeland like what happened to the Northern Muslims if there is a solution to the ethnic issue and the power to rule the North and east is devolved to the LTTE. This fear has been widely spreading among the Eastern Province Muslims after the signing of Memorandum of Understanding by the LTTE and the Sri Lankan government and the demand of the LTTE to form an interim regional government in the North-East. There is no any guarantee that there won't be murder of Muslims like what happened in Kattankudy and Eravur. In Kattankudy more than 100 Muslims were shot dead by the Tamil militants while they were praying in the mosque. A feasible environment has not been created to think that there won't be a repetition of mass murders by surrounding the Muslim villages like what happened in the Muslim villages of Alinchipothanai and Palliththidal. The armed Tamil militants surrounded these villages and killed even infants and pregnant women. Since the beginning of the ethnic issue in Sri Lanka, the armed Tamil liberation movements have killed more than thousand Muslims and looted and burned their properties, religious places and schools. Why did these terrors occur against the Muslims? Because they started to talk about their ethnic identity, aspirations, rights and security.

Therefore, The Council of North-East Muslims of Sri Lanka in Britain (CONEMS) proposes that in order to remove the widespread fear, which prevails among the Muslims today and the suspicion they have about the Tamil leaders and the LTTE, the distinct ethnic identity of the Muslims should be recognised. Although the Muslims happen to speak Tamil, historically they are identified as a separate ethnic minority. Muslims belong to a different religion and culture and also have identified areas of historical habitation in the Northern and the Eastern provinces. The recognition of the ethnic identity of the Muslims should be the first and the foremost item in the agenda to be considered by the Tamil leaders, the LTTE, the Sri Lankan government and the mediators/facilitators now immediately. Then only there will be a possibility to consider the grievances of the Muslims when the representatives of the Sinhalese and the representatives of the ethnic minorities of Tamils and Muslims sit together to start 'talking'. The parties should not forget the fact that the Muslims are the second largest ethnic community living in the North and Eastern provinces of Sri Lanka. Therefore, the reality is that the North-Eastern issue is not the Sinhalese-Tamil issue, but it is primarily an issue between the Tamils and the Muslims. Another reality is that the Muslims of the North-east were more effected than the Sinhalese who live over there. The Sinhalese in the North and Eastern provinces were protected and well-looked after by successive governments. There is no doubt that this will continue in the future too. Unless the distinct ethnic identity of the Muslims are recognised, they will not be in a position to participate in any negotiation, which is expected to commence

in June in Thailand. This is not a language issue; this is an ethnic issue. Therefore, any proposals should bring some solutions to all the three ethnic communities, Sinhalese, Tamils and Muslims, living in the region and the country. It is meaningless and breach of fundamental rights to totally ignore the Muslims, one of the major ethnic minority communities, in any negotiations to solve the ethnic issue. If the Muslims are ignored from any negotiations, it is not going to bring any reasonable solution to the ethnic issue, justice and lasting peace in the region. Contrary to the expectations, it will worsen the ethnic issue between the Tamils and the Muslims in the future.

The second proposal of the CONEMS, which follows from the above, is that it should be recognised that the North and Eastern part of Sri Lanka is homeland of not only of the Tamils but also of the Muslims as endorsed by the LTTE in the LTTE-Muslims Agreement (1988). The Muslims have been living in the region since the 7th century. This recognition will pave the way for resettlement of evacuated Northern Muslim population that has been living for centuries over there and to dispel the fear that the Muslims living in the East will also be chased out from their homeland and the Northern and the Eastern provinces be made a predominant Tamil area if the power is devolved to the LTTE under the proposed interim regional government.

The third proposal of CONEMS is that the security and the rights of the Muslims should be guaranteed by constitutions of the central government as well as the regional interim government and endorsed by an international third party.

The fourth proposal of CONEMS is that when the interim government is formed, power should be devolved to the Muslims too in a reasonable and positive manner. Fifthly, it is also proposed that the boundaries of the present Pradesa Sabha areas should be re-demarcated and clear Sinhalese majority, Tamil majority and Muslim majority Predesa Sabha areas should be created. When re-demarcated, the current ethnic ratios of these areas should not be disturbed. For these re-demarcated Predesa Sabhas, more powers should be devolved in order for them to manage their affairs themselves independently in the areas such as education, health, transport etc. The devolved North-East regional interim government may oversee these Predesa Sabhas. Further, within the North-East regional interim government, the ethnic ratios of Divisional Secretariat level, district level, provincial level and regional level should be maintained continuously in appointments including police, distribution of lands, and other resource allocation.

Because of the willingness of the Muslims to bring about peace, they have given up their opposition to the merger of North and Eastern provinces. But, in the merged North-Eastern regional government, the Eastern Muslims' political representation is going to be reduced to about 18% from its present about 33%. (The Muslims comprise about 33% of the total population of the Eastern province). Therefore, it should be guaranteed that the Muslims' political representation would be maintained to 33% in the merged regional government. It is impossible to guarantee this 33% under the normal existing electoral arrangement. Therefore, when there is an election and the political representation of the Muslims is less than 33% in the regional government, the shortfall should be filled to bring the percentage to 33% by a system of nominated members or by a system to elect the shortfall under a proportional representation system. This is the sixth point proposed by the CONEMS. Even this system should not disturb the present ethnic ratio at Divisional Secretariat level, district level, the provincial level etc. The percentage should also be maintained in the appointment of ministers and other political appointments in the North-East region. The ethnic ratio should be based on 1981 census report. To facilitate this, it is also proposed that Padiyatalawa and Maha Oya Pradesa Sabha areas should be de-merged from the Eastern province. This is because; the two areas were merged with the Ampara district in early 1960s in order to weaken the ethnic ratios of the Muslims and Tamils and as a result their economic well-being, political representation and other rights.

As mentioned above, because of the compromise of the Muslims for peace and sacrifice they make for it, the political strength of the Muslims in the Eastern province is likely to be diluted in the merged regional government. Therefore, some arrangements should be made to ensure that every third head of the government in the merged North-East regional government is a Muslim, on rotation. This is the 7th point in the proposals of the CONEMS. This is not new. There are such arrangements in some other countries.

In addition to the above proposals, it is also proposed as the 8th point that an Racial Equality Commission should be appointed to see that there is no injustice done to minority ethnic groups such as Muslims and Sinhalese in the merged North-East region.

If the Tamil leaders and the LTTE accept these proposals, it may be possible to remove the widespread fear and suspicion that the Muslims have in their minds today. It is important at this juncture that the Sri Lankan government and the LTTE understand the growing tension day-by-day among the Muslims after the signing of Memorandum of Understanding. The proposed regional interim government has increased their fear. The Tamil leaders and the LTTE may think about even better and more reasonable proposals than the above, which are acceptable to the Muslims. Such a proposal may encourage the Muslims to give up their current demand for creation of a separate devolved unit within the North-East region to safeguard their rights, fulfil their aspirations and ensure their security.

It is disappointing that the government and the LTTE use the words 'peace' and 'understanding' without proposing any reasonable solution to the grievances of the Muslim ethnic minority and totally ignoring them. Therefore, until the distinct ethnic identity of the Muslims is recognised, their rights and security are guaranteed, it is impossible to find a reasonable solution to the North-East issue and to bring about lasting peace in the region. Therefore, the Muslims should have effective representation in any negotiation, which attempts to find a long-lasting solution to the ethnic issue. The CON-EMS proposes that suitable institutional and constitutional measures that will protect the interests of the Muslim community (in the proposed interim government as well as final government) be thoroughly discussed on the basis of the above-mentioned points and incorporated into any proposed solution to solve the Sri Lankan ethnic issue. ❐

Arise Jaffna, A New Sunrise

I vow to thee, my country - all earthly things above -
Entire and whole and perfect, the service of my love;
The love that asks no questions, the love that stands the test,
That lays upon the altar the dearest and the best;
The love that never falters, the love that pays the price,
The love that makes undaunted the final sacrifice.
- Sir Cecil Spring-Rice

Gaston de Rosayro

Among our tropical island's localities which have been suffused for centuries by tranquility and contentment, Jaffna had been the beau ideal. Time was when its old-world charm and equally enchanting cultural traditions could seldom have been encountered anywhere on earth.

The peninsula, with its quaint cadjan-thatched fences, picture-book villages and placid inlets and lagoons, was decidedly a composed macrocosm within our own delightful little universe. It was also a thriving commercial port where barges once plied the shallow Palk Strait between Jaffna and South India, ferrying tourists and tradesmen in addition to a variety of consumer goods.

From Jaffna they took tobacco, soap, betel-leaf, betel-nut, onions, potatoes and spices, to supply a massive demand in the neighbouring Indian marketplace. Jaffna was also the nation's largest single grower of tobacco, supplying more than 40 per cent of the country's total output of the cured addictive leaf.

But years of civil conflict has illuminated quite another side of its existence. The locale unexpectedly attained a larger than life role and was thrust into becoming a stage for much of the nation's turbulent struggles for the last 20 years. Yarlpaanam - in the recent past, the fateful ring of its name has resounded with a discordant clash of cymbals. Because, mostly during this period it has been a springboard which has ratcheted up an explosive cauldron, leaving in its wake a landscape of rebellion, rubble and ruin. Nearly two decades of war have reduced the once-bustling northern trading post to virtual debris.

From its main township avenues, to its provincial village bazaars and by-ways the dilapidation is all too evident. For years, commodities have been scarce and prohibitively expensive. The once lavishly stocked shop shelves in an almost forgotten era of tranquility have borne testimony to a peninsula of plentiful self-sufficiency becoming impoverished and ravaged by irrational secessionist strife.

Jaffna was the stronghold of the Tamil Tigers until government troops ran them out of town and retook the ancient Portuguese and Dutch-built citadel.In the fiery furnace of its civil-war history its people have fled en-masse and the town lies in ruins, without power, water, telephone lines or any basic urban infrastructure.

Hundreds of thousands of Tamils have fled the country since the war started in 1983. The trigger was the anti-Tamil riots in Colombo in July that same year in which hundreds were killed and their homes and businesses looted and destroyed. The government at the time had the ability to stop the sickening carnage. But with stupid and almost criminal passivity, its Cabinet did precious little to counter the holocaust. Its ministers sat dithering in their sanctums and emerged days later, not with a sense of emotional outrage nor expressions of regret, but with farcical excuses. The shameful pogrom served to mark the nation out with a searing blot, that went on to become a damnable part of our racist history. It caused a backlash in world condemnation that the nation has still not quite recovered from. As a consequence, the denunciations against the Colombo government orchestrated by the Tiger propaganda machine become progressively harsher and more convincing. Besides, the genie of counter-rebellion was already out of the bottle by then.

For many years despite his organisation's many atrocities, the world began to view Velupillai Prabhakaran's demands as not unrealistic and to have a sense of justice behind them. Unfortunately for the northern territory, the beginnings of the Tamil Tiger campaign for their dream homeland in the north and east coincided with the then J. R. Jayewardene government's opening up of the country's economy, which saw foreign investors rushing to place their money in parts of the island not affected by the war. As a result, Jaffna considered one of the most resourceful and potentially brightest sectors that could have cashed in on the boom was left out in the cold. Still, Tamils have always had an emotional, almost sentimental attachment to their motherland. Many see the exoduses as forced transitory sojourns abroad and their guess is that first-generation Tamils at least are likely to return now that a tangible peace has returned to Jaffna. Analysts expect returning Tamils to set up joint ventures in light engineering, electronics, trading services, small and medium industries, tourism development, textiles and finished garments. They could play a big role in bringing the open economy to their home town. Jaffna could also capitalize on its traditional trade and cultural links with south India, which has immense possibilities for expansion. Sadly, the northern territory and its environs have up to now lost the benefit of the open economy. When the economy opened, Jaffna closed. Worse, it had also over this turbulent period suffered the biggest brain-drain in its spirited commercial history. The frustrations and constraints that forced them to leave the country were all too apparent. To say that they left Sri Lanka when conditions here were not conducive would be the biggest understatement of the century. They were a hounded community forced to flee in fear of their very lives. But the biggest hope now is that its people who fled the fighting will return and that expatriate Tamils, who have made their fortunes overseas while supporting the Tamil Tiger rebel movement financially, will also retrace their footsteps home and invest their money in the new dream.

The entire nation stands to profit, now that the possibility of peace has returned to the northern district. The Jaffna of old always had an air of well-being about it. Its people had once been prosperous entrepreneurs, farmers, fisherfolk and traders. Their industriousness and thrift have been as legendary and often likened to the Scottish penchant for those same peculiarities of character. The peninsula has also nurtured and provided the nation with some of its most eminent professionals, bureaucrats, entrepreneurs, clergymen, artistes and academics.

The task of reconstruction will not be easy, but the people do not seem dismayed. They have already set about the rebuilding process with rarely witnessed enthusiasm. Already the cease-fire and prospects of a peace accord have brought about considerable progress. The almost bare shop shelves are being restocked and the earlier outrageous prices of commodities have plummeted. The place is leaping back to life with an astonishing vitality.

Across the nation and indeed parts of Asia people are talking excitedly about the rebirth of this cultural and commercial urban giant. It could be the epicentre of a new national modernization. Despite the years of death, devastation and decay it is poised for a blast-off along a capitalist trajectory, with the aim of hauling the great eastern and southern heartland along with it.

Some might consider the time long past for fortune to rush back to Jaffna's doorstep. It sounds a tall order and a daunting one to risk investing in a district that had been doomed to economic suffocation by a war raging precariously around its very ears. Yet those familiar with this new capital of ambitions are inclined to believe that its resourceful citizens will prevail. Investors other than Tamils - including diversified blue chip conglomerates, banks and industrialists - are already showing their faith.

With a major government programme underway to repair the war-ravaged peninsula and plans to resettle tens of thousands of refugees, Jaffna offers colossal investment potential. Conspicuous consumption will be the dominant theme in this former Tiger bastion which will be re-inhabited by a conservative, largely law-abiding society. Yet, despite its parochial reserve, its enterprising and entrepreneurial spirit has always been evident even during the worst times of adversity.

The impressive achievements of the Tamil community abroad are too well known to be mentioned here. In their own fields they have achieved those levels of competence and honour desired by countries which have offered them a fresh start and a new life. They have always possessed the capacity to adapt to change without losing their cultural identity. Only the blinded bigots will disagree that these Sri Lankans have endeavoured to find ways in which they could share the country of their adoption with inhabitants of diverse races. After all, they did live in admirable coexistence with their own compatriots in the land of their birth, until certain hate-mongering nitwits went too far. That is why, all right-thinking citizens of Sri Lanka would prayerfully hope that the mission to revitalize Jaffna will induce Tamil expatriates from diverse parts of the world to return and help rebuild their home and the nation.

[Daily Mirror (Colombo) 27th April 2002]

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The Odyssey of a Tamil Giant

Ajith Samaranayake

The death of M. Sivasithamparam at the age of 79, even as the national conflict enters upon a period of lull, removes from Tamil politics its last major figure. For Murugesu Sivasithamparam, for long the President of the Tamil United Liberation Front, was the last of the charismatic parliamentarians of the heroic age of democratic Tamil politics which ceased to exist when the TULF MPs were driven out into the cold by the 13th amendment to the Constitution in 1983 and when parliamentary Tamil politics was eclipsed by the rise of militancy in the period which followed.

In his autobiography "Memoirs of an Unrepentant Communist", the Maoist Communist leader N. Sanmugathasan recalls how he and Siva had entered the University College in 1938-39 as its last batch. Both of them had been in the University Communist cell at the time when the United Socialist Party having broken away from the Troskyist LSSP, was in the process of being transmogrified into the Communist Party of Ceylon.

Siva then began life as a Communist in the time of Stalin but coming from a Vellala Hindu family in Karaveddy he was the victim of contrary pressures from the time of his young adulthood. His family managed the Vigneshwara College and Sanmugathasan recalls the young Siva having a portrait of Goddess Saraswathi in his hostel room when Shan no doubt proudly displayed one of Lenin.

The late Nimal Karunatilleke who was also a Communist at the time (long before he joined the SLFP and later the UNP) recalled when he and I covered the 1977 Parliament of which Siva was one of the most formidable debaters that the young Siva felt somewhat squeamish about going out in the night to paste posters which was, of course, part of the apprenticeship of any young aspiring Communist.

The young Sivasithamparam then was a typical product of his times and his milieu. Although he had embraced Communism doubtless through intellectual conviction and not material deprivation he nevertheless felt helpless about rebelling against his ancestral gods and the deeply-held values of his caste and class. But there was no dishonesty or bogusness here for this generation of youthful idealists believed honestly in a socialist society before those dreams were blotted out by the exposure in the 'God that Failed' that the deity had feet of clay.

In fact Siva's colleague A. Amirthalingam used to recall that as an undergraduate himself he had learnt his Marxism at the feet of Dr. N.M. Perera and indeed when Amirthalingam and Siva led the Opposition from 1977 their criticisms of the UNP Budgets presented by Amrithalingam's fellow university mate Ronnie de Mel were from a consistently socialist perspective.

After leaving the Communist Party Siva joined not the Federal Party but the All Ceylon Tamil Congress of G.G. Ponnambalam whose platform was the just rights of the Tamil people within a unitary state as opposed to the advocacy of a federal unit for the Tamil areas. This might have placed him in something of an accommodationist position vis-a-vis the more militant FP but perhaps it was also a measure of a more practical nature.

This brought its own rewards such as the time when during the 1965-68 period of the National Government between the UNP and the FP and ACTG he was made Deputy Speaker (a position which he occupied with great acceptability) but when the chips were down and the Tamil struggle took on a militant edge Siva had no doubt in his mind about where he stood. He left the ACTC and joined the TULF at its formation even as the Government of Prime Minister Sirimavo Bandaranaike in 1970, with both Ponnambalam and Sivasithamparam out of Parliament, put up a caricature of an ACTC for public consumption.

Siva really came into his own in the 1977 Parliament when the TULF led a depleted Opposition. He was the able second in-command to the Leader of the Opposition A. Amirthalingam. With his towering six foot appearance, his barrel chest and parade commander's voice he was perhaps that Parliament's most formidable speaker. He did not go in for flowery oratory and his diction was simple but as a criminal lawyer of long experience he had the forensic skill of going directly to the heart of an argument and destroying it. The speech he made debunking the claims made by the then Industries Minister, an arch TULF-baiter, Cyril Mathew that Tamil examiners were favouring Tamil AL students will remain for a long time as a model of parliamentary oratory.

If Amrithalingam had a fiery tongue and a short temper (although this never lasted long and he was most handsome in his apologies) Siva never lost his cool. He was always calm and his most formidable weapon was his irrefutable logic. But this did not mean that he lacked indignation for the cause of his people. When driven to indignation he was an antagonist to be feared and the turning point came when the security forces in one of their many retrospectively futile operations of the time which did so much to rouse Tamil resentment arbitrarily shot and killed a young man sleeping on the verandah of his office.

Having watched the debates of that Parliament I can see it as the long unfolding of a tragedy which could not be avoided. Days before July 22, 1983, the MP for Chavakachcheri V.N. Navaratnam, bearded and sombre, had bid good bye to the House saying that he had outlived his mandate which had anyway been nullified by the Referendum of 1982. The shadows were lengthening on the playing fields and pleasure gardens of Colombo. Came Black July and Siva was in Mannar attending the annual TULF conference as were other principal Tamil leaders. His home at Norris Canal Road was attacked and his wife and family had to scale a wall to safety before the house was reduced to rubble.

The last years of his life Siva led in

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Chennai and in Colombo fighting a long illness but not giving up until last Wednesday morning when he passed away at the National Hospital close to his burnt out former home. His state of ill health was worsened by the injuries he suffered when the LTTE opened fire on three of them killing Messrs. Amirthalingam and V. Yogeswaran in 1989 leaving Siva as the only forlorn survivor. Although not in the best of health by any means he returned from India at the behest of his party to take up its sole National List seat in Parliament after last December's election.

It was perhaps paradoxical that the man the LTTE tried to kill was returning as MP of the Tamil National Alliance which had recognised the LTTE's primacy over Tamil politics but that too is part of the irrefutable logic of contemporary Tamil politics, a paradox which Siva I am sure would have relished.

It is easy to point the finger of accusation at Parliamentarians of the generation of Sivasithamparam as letting down the Tamil youth but then aren't the Sinhala leadership which offered them the illusion and carrot of a supposedly honourable solution from Independence onwards equally to blame? In his time Siva may have moved from Communism to Tamil nationalism and even Tamil militancy but by their very education and conditioning this was a liberal leadership which was ready to come to a honourable accommodation within the framework of united although not necessarily unitary polity.

For M. Sivasithamparam it has been a long and perhaps painful personal and political Odyssey but if the passing of this last towering figure of the democratic movement in Tamil Politics does not strengthen our resolve to end this wasteful conflict all of us are bound to be irrevocably impoverished. ❐

Tamil Schools Sports Association (UK)

The Tamil Schools Sports Association (UK) in its tenth year after inauguration had its Annual Soccer Tournament on Bank Holiday Monday, 6th May 2002. The Champions in each of the groups were.

Under 12: Mahajana College **Under 14: St. Patrick's College**

Under 16: Mahajana College **Open: Nadeswara College**

This association which was inaugurated with ten Old Students Associations affiliated to it, has grown by leaps and bounds and has forty five of them taking part in tournaments organised by it. It has laid aside in a separate fund a part of the annual profits to be utilised for sports facilities to benefit students in the Tamil areas of Sri Lanka and has around **£ 13,000** in this fund. In the context of the dawn of peace in Sri Lanka, it should be possible for the association to make a positive contribution towards a project such as a Sports Stadium.

The Association had at its last Annual General Meeting re-elected Mr. S. Ratnajothy as its **President.** . The other office-bearers are **Vice Presidents:** Mr. V. Santhalingam, Mrs S. Selvarajah & Mr. A. Thiruketheeswaran **Secretary:** Mr. N. Sri Gengatharan **Asst. Secretary:** Mrs G. Vijayadeva **Tresurer:** Mr. K.S.Satkunaseelan **Asst. Treasurer:** Mr. M. Suthakaran **Committee Members:** Mr. E. Gunaratnam, Mr. K. Kugathas, Dr. W.T.Maheswaran, Mr. S. Mylvaganam, Mrs. S. Thambipillai, Dr. A. L. Vasanthakumar & Mr. T. Vijayaratnam **Co-opted Member:** Mr. I. Manoharakumar.

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Ranil Rejects Homeland Concept: May 1 - Sri Lanka's Prime Minister Ranil Wickremasinghe said that a system of devolution of power must be found at the negotiating table without dividing the country and without accepting the concept of a traditional Tamil homeland. He was addressing the first May Day rally of the United National Front (UNF) government held in Colombo Municipal Council grounds. Mr.Wickremasinghe said the UNF has received a massive mandate from the people at the last general election to achieve peace without dividing the country. "I am committed to achieve peace in this country with the support of all communities," he said.

"Now only a cease-fire agreement is in force. All other matters related to finding a political solution to the ethnic conflict should be discussed at the negotiating table in direct talks with the LTTE," said the Prime Minister. He further said that the island's ethnic conflict cannot be solved without international support and that his government would seek the advice of the Maha Sangha in this regard.

LTTE Convoy Did Not Breach Truce: May 2 - The Norwegian headed Sri Lanka Monitoring Mission stated that it did not consider the sailing of a Sea Tiger convoy which was intercepted and challenged by Sri Lankan navy gunboats near Trincomalee seas the previous week as a breach of the indefinite ceasefire agreement. The head of the SLMM, General Tronde Furuhovde, in a letter to the LTTEheadquarters in Kilinochchi regretted over the incident, acknowledging it was a mistake by the SLMM for not communicating in writing to the Sri Lankan naval authorities about the planned movement of the Sea Tiger boats in the eastern waters. General Furuhovde revealed that the matter had been passed orally and there had been confusion in communications.

The LTTE leadership had expressed its deep displeasure over the incident since a major confrontation could have resulted from the tense situation created when the Sri Lankan naval flotilla challenged the Sea Tiger convoy in which some of the top LTTE leaders were travelling.

130,000 Sri Lankans in UAE: May 3 - There are about 130,000 Sri Lankan expatriates in the UAE, Susantha Fernando, the Chairman of the Sri Lankan Bureau of Foreign Employment, said speaking at the First Sri Lankan Human Resource Solutions Forum, held at the Hyatt Regency.

Explaining the need to highlight the professionalism and the expertise present in the Sri Lankan manpower, Fernando said, "The subject of labour migration has been widely discussed in the world today. A total of 183,000 Sri Lankan men departed from their country in 2001. The most significant aspect is the percentage of females in this migration, 65 per cent, of which 90 per cent went to the Middle East.

"The new Sri Lankan government is now placing a lot of emphasis on the welfare of the Sri Lankan workers employed overseas. Due recognition is given to the employment policy which has been outlined for the first time. This is because our workers yielded in excess of $1 billion, equivalent to 100 billion Sri Lankan rupees.

Considering this the government is launching a separate lounge at the International airport for migrant workers. We have also outlined an orientation programme which began on May 1," Mr Fernando said.

Demining Agreement with US: May 3 - The United States and Sri Lanka - signed an agreement on 3 May for U.S. experts to find and destroy land mines in Sri Lanka's war-ravaged northern Jaffna Peninsula.

An American team of 26 specialists and four mine-detecting dogs are already in Jaffna to clear mines. Friday's military cooperation agreement formalizes the United States' mission, and provides for more de-mining experts to come in. It was not immediately known how many more will come, or when. The agreement was signed by U.S Ambassador Ashley Wills and Sri Lankan Defense Secretary Austin Fernando.

Fernando said the peninsula's roads and farmlands are riddled with an estimated 700,000 mines planted by government forces and the Tamil Tigers, who have been fighting since 1983 for a separate state.

Wills offered more U.S. assistance to remove mines from other parts of the northern and eastern war zone. But he added: "For that, we have to be certain that there will be no fighting and no mines will be buried again."

More PSD Men Face Arrest: May 6 - The Criminal Investigations Department (CID) has stepped up its probe against members of the Presidential Security Division (PSD) over their alleged criminal activities during the previous regime of the People's Alliance (PA) government.

Reports said that more than 25 Presidential guards of President Chandrika Kumaratunga are to be arrested in connection with a series of incidents including attacks on journalists, musicians and on opposition supporters.

At least 10 PSD men have already been arrested while other are to be questioned and arrested shortly, CID sources said. Three PSD men were arrested on 3 May for the alleged attack on singing duo Rukantha and Chandraleka who have been actively supporting the ruling United National Front (UNF) government. The three men have been remanded.

An ex-driver of President Kumaratunga was also arrested for his involvement in the attack which had taken place in January 2000.

Former PSD chief's passport impounded: May 8 - The passport of former heavyweight for the Presidential Security Division, Nihal Karunaratne was impounded today by the Gangodawila Magistrates court.

Karunaratne submitted an anticipatory bail application to court in connection with his involvement in the alleged assault on Editor, Lasantha Wickrematunge and his wife Raine, in 1995. Police have arrested five suspects in connection with this case so far. Two, were identified by Lasantha on April 29, this year.

The evidence so far has implicated SP Nihal Karunaratne who according to the confessions made to police had allegedly organized and planned the assault.

The Criminal Investigations Department did not object to the bail application but demanded that Karunaratne report to the CID headquarters on the last Sunday of every month.

UN Condemns Use of Child Combatants: May 9 - United Nations security council yesterday condemned the targeting and use of children in armed conflict, calling for an immediate halt to such practices and for a special measure to protect children and include them, particularly girls, in peace processes.

A press release by the UN on the speech made at a special meeting on the issue by the Secretary General Annan said, "The use of child soldiers is far more than a humanitarian concern. Its impact lasts far beyond the time of actual fighting and the scope of the problem vastly exceeds the number of children directly involved. Annan warned that the physical and psychological effects on the children involved are long term and devastating, calling on parties to conflict demobilize child soldiers. rehabilitate them and reintegrate them.into society. Annan warned warring factions that they will be held responsible for using child combatants, adding that he will draw up a list of parties involved in such practices, to accept the use of child soldiers in conflict is to accept the destruction of our future, one child at a time, he said. We must reclaim them, everyone one of them.

Over 1000 Detainees freed in 2 months: May 9: The United National Front government, following ceasefire truce between it and the LTTE, in the past two months released over 1,000 Tamil Tiger suspects alleged to be connected with terrorist acts. The suspects are those arrested held under the Prevention of Terrorism Act.

The suspects released include those held in connection with the bombing of the Bandaranaike International airport of Sri Lanka, last September which then brought the country's tourism to a total standstill.

According to the ICRC only around 700 more prisoners remain in government custody. ICRC sources in Sri Lanka said that the UNF Government had informed them that more Tamil suspects will be released shortly.

Meanwhile Minister of Muslim Affairs Rauf Hakeem, who had intervened and stopped a hunger strike among prisoners in the Batticaloa prison had appealed to Prime Minister Ranil Wickremesinghe to look into the expedition of the cases against Tamil suspects. This appeal is a follow up to the 'pledge' given by Hakeem to LTTE war supremo, Vellupillai Prabhakaran when he met him in the Vanni.

TNA delegation meet Thamilchelvan: May 11 - The Liberation Tigers requested the Tamil National Alliance to bring sustained pressure the Sri Lankan government for the speedy implementation of the permanent cease-fire which came into effect on February 23. A four-member delegation of the TNA met the head of the LTTE's Political Section, Mr. S. P. Thamilchelvan on 11 May morning at the movement's Killinochchi headquarters.

The TNA delegation comprised parliamentarians Mr.R.Sampanthan (TULF), Mr.A.Vinayagamoorthy (ACTC), Mr.Selvam Adaikalanathan (TELO) and Mr. Sivasakthi Anandan (EPRLF-Suresh wing).

The talks between the LTTE and TNA centered on the shortcomings in implementing the cease-fire agreement, continuous detention of Tamil political prisoners under the Prevention of Terrorism Act (PTA) and Emergency Regulations (ER) and the poor living conditions of the displaced people returning from the Vanni region to their own villages in other parts of the north-

east due to lack of government financial support, according to a TNA spokesman

Mr. Thamilchelvan also stressed that the peace talks with the government will begin only after the ban on the LTTE is lifted. The LTTE had pointed out at the discussion that the terms of the cease-fire agreement had not been explained to the Tamil community. The LTTE requested the TNA to undertake the responsibility of informing the Tamil public about the agreement, and explaining to the majority community the problems faced by the Tamils.

LTTE Protests Against Surveillance Flights: May 13 - In the wake of a series of low-level flights over the Vanni by Sri Lanka Air Force surveillance aircraft which have raised fears amongst residents, the Liberation Tigers lodged a formal protest with the Sri Lanka Monitoring Mission (SLMM). The causing of panic amongst civilians by the Unmanned Aerial Vehicles (UAVs) is "a negation of the confidence building exercise undertaken by the government of Sri Lanka," the LTTE said in letter to the SLMM.

Writing to General Trond Furuhovde, head of the SLMM, Mr. S. P. Tamilchelvan, Head of the LTTE's Political Section said: "You are aware that the LTTE has already brought to the attention of the SLMM the flight of Unmanned Reconnaissance Aircraft over civilian areas in Mullaitivu and Kilinochchi districts."

The aircraft are cruising over towns and villages at low altitudes causing anxiety and panic among civilians and school children, the letter said. "During war times these flights were not only confined to surveillance on land but always preceded aerial bombardment. As such the Tamil civilian population is deeply worried over the intention behind this unwarranted action," the letter said. "This aerial surveillance constitutes a violation of the spirit of the truce agreement. Furthermore, such action is tantamount to a negation of the confidence building exercise undertaken by the government of Sri Lanka. We, therefore urge you to use your good offices and prevail upon the government to desist from this provocative action to stabilise the conditions of peace and normalcy in Tamil areas," the letter to the SLMM chief said.

Deal with LTTE only with people's consent: May 13 - Seeking to In an obvious bid to allay Sinhalese fears over a proposed LTTE-run "interim administration" in northeast Sri Lanka, Prime Minister Ranil Wickremesinghe has said that his Government would first seek Parliament's approval for it. Denying that he had given an assurance to the LTTE that an interim administration under the rebels will be established soon in the island's north and east, the PM said, "We will ask the LTTE to place the topic of an interim administration in its agenda for talks. Other than that, we have not given them promises on anything."

Mr. Wickremesinghe, who was addressing Buddhist monks in the southern town of Matara, said he could not enter into a deal with the LTTE by himself and that it would first have to go through Parliament and have to be ratified by the people.

He made these remarks a day after a protest by hundreds of Buddhist monks in the capital against the proposed interim administration on the grounds that it would lead to division of the country. The Janatha Vimukthi Peramuna (JVP) also has been agitating against the proposal.

Mr. Wickremesinghe said that no deal had been struck with the LTTE on the proposal and that it would be discussed only at the peace talks to be held in Bangkok. He reiterated that there was no move by the Government to accept the LTTE demand for a Tamil homeland. "We are only prepared to accept a one homeland concept for everybody in this country," he said.

Stressing that the efforts taken by his Government represented the last chance for peace, he said that the LTTE had finally been brought into the framework of a peace process and that it was crucial to keep it there.

ICRC on Child Soldiers: May 15 - Isabelle Barras, Head of the International Committee of Red Crosssaid that the ICRC have received appeals from parents whose children have been recruited and they have made interventions to the LTTE regarding those appeals and the ICRC had few successes in obtaining the release of few of those children. She added, "The issue of child soldiers is a matter of grave concern to us. Under International Humanitarian Law the recruitment of children below 15 is expressly forbidden. Moreover between 16 and 18, children already recruited should not be sent to the battlefield in priority. Given that the Optional Protocol to the Convention on the Rights of the Child came into force last February, the ICRC is currently considering the possibility to change its basis of intervention accordingly."

When informed that the LTTE leader Vellupillai Prabhakaran denied during his press conference in April that the LTTE use child soldiers, Barras said, "Only comment

I can make is that we do have some cases we are dealing with currently. We have submitted some cases to the attention of the LTTE and we follow up on those cases."

LTTE's deadline for adult movies: May 13 - The political wing of the LTTE has announced in Jaffna that the public and owners of video rentals and video theaters should hand over any adult videos they posess tohe LTTE's political offices before the 15th of this month. Last month, the LTTE's political officers, and Mr. Puthuvai Rathinathurai in particular, asked public to voluntarily hand over such material to the LTTE before the beginning of this month.

"These materials pose a threat to our society and should be completely banned," said Mr. Rathinathurai. Now, at a meeting held at the MPCS building in Jaffna, the LTTE has announced that these materials must be handed over to them and "legal action" would be taken against those who do not comply. No specific action has been mentioned however.

India Extends Ban on LTTE extended: May 14 - The Central Government today extended the ban on the Liberation Tigers of Tamil Eelam for a further period of two years under the Unlawful Activities (Prevention) Act. The earlier ban was scheduled to come to an end today. Announcing the decision, the Government said the LTTE's unlawful activities on the Indian soil as well its contacts and liaison with other extremist groups had been a matter of grave concern.

Sympathy for the Tamil Eelam concept still remained and forces were still at work to further the cause of a "separate Tamil Nadu", through secession from India and for this they drew inspiration and sustenance from the LTTE.

In view of the sensitivity of the matter and keeping in view that the LTTE had systematically infiltrated into Tamil Nadu, the Centre and the Tamil Nadu Government felt that circumstances existed which rendered it necessary to declare the LTTE as unlawful.

The Tamil Nadu Government had sent a proposal to the Centre for banning the organisation for a further period of two years, an official press release said.

The extension of the ban on the LTTE by India for two more years is a "meaningless and wrong move", S.P. Thamilchelvan, the leader of the LTTE's political wing, told the BBC's 'Tamilosai' radio station. "There is no reason for India to ban the Tigers and I consider it a wrong move," he said. However, he was confident that India would support their cause some day and "help the Tamil people fulfill their aspirations."

TULF wants ban on LTTE lifted: May 17. The Tamil United Liberation Front (TULF), main constituent of the Tamil National Alliance (TNA), has urged the Sri Lankan Government to lift the ban on the Liberation Tigers of Tamil Eelam (LTTE) immediately and pave the way for peace talks.

In a statement on 16 May the TULF president and Member of Parliament, M. Sivasithamparam, said it was the "immediate step"' the Government had to take. "The government is making all arrangements for talks with the LTTE. Various Ministers are making statements. The most important matter about the talks is the lifting of the ban on the LTTE."

"The LTTE has made it clear that it will not come for talks unless the ban is lifted. This is a very reasonable request because the LTTE is going to speak on behalf of the Tamil people as the sole representative. The LTTE cannot be expected to participate in the talks except on the basis of equality," Mr. Sivasithamparam said.

LTTE casts doubts on talks: May 15 – The LTTE has raised doubts over holding peace talks in Thailand after accusing Colombo of succumbing to pressure from Sinhalese ultra nationalists.

The London-based weekly the Tamil Guardian, generally assumed to reflect LTTE's views, accusing Prime Minister Ranil Wickremesinghe of slowing down the incipient peace process has argued against entering early face-to-face negotiations with the Sri Lankan government.

"With direct talks between the Liberation Tigers and the Sri Lankan government dependent on the full implementation of the ceasefire and the deproscription of the LTTE, negotiations are clearly not anticipated in the immediate future," the paper said prompting doubts whether the talks would commence in June as expected earlier.

The paper also accused the Sri Lankan Army of jeopardising the truce by extending its security network and imposing new restrictions on the movement of civilians in the embattled northern and eastern regions.

"The goodwill the newly elected government (of Wickremesinghe) secured amongst the Tamil community by lifting the embargo and entering into a permanent ceasefire with the LTTE is gradually being eroded by the Sri Lankan military's conduct," said the paper in its editorial..

The navy was also harassing fishermen and had imposed new restrictions on their movement, the paper charged while the air force was adopting "an increasingly hostile attitude to the Norwegian peace initiative" and had began extensive low-level surveillance in the rebel-held Wanni region.

Opposition Protest Campaign: May 16 - More than five thousand protestors this afternoon thronged the Virodhaya (oppose) campaign by Sri Lanka's main opposition alliance against the ruling United National Front's policy on peace talks, the economy and style of governance at Nugegoda Junction, a busy in-

tersection in greater Colombo. The Virodhaya campaign, scheduled to be held in all the Sinhala majority districts of the island in the next hundred days, crticises moves for peace talks between the Premier Wickremesinghe's government and the Liberation Tigers as a "move to divide the country."

Opposition leader, Mr. Mahinda Rajapksha, led the demonstration. Rush hour traffic was jammed for more than an hour at two of the busiest intersections in outer Colombo this afternoon, as the Virodhaya demonstrators marched from Nugegoda Junction to Kohuwela Junction.

People's Alliance strongmen Mr. Anura Bandaranaike and Mangala Samaraweera and coalition partners Ms. Ferial Asharaff (National United Alliance) and Mr. Dinesh Gunawardena (Mahajana Eksath Peramuna) took part in the demonstrations. Chief Minister of the Western Provincial Council Mr. Reginald Cooray and many opposition trade union leaders too were in the protest. The leftwing coalition members of the PA, the Lanka Sama Samaja Party and the Communist party boycotted the protest.

"The United National Front government has not fulfilled its election promises but it has laid down the path to hand over the northeast province to the Liberation Tigers," said a former minister and Kandy district parliamentarian Mr. Sarath Amunugama addressing the rally.

Mr.Mahinda Rajapakse, leader of the opposition said that the demonstration showed that that the PA had the ability to stand on its feet without relying on others, in an obvious reference to the JVP. "The PA has decided to launch this anti-government campaign throughout the island to muster the support of the masses against government's repression, betrayal of the country, privatization of public properties and retrenchment of workers," said Mr.Mahinda Rajapakse.

Sea Encounter averted: May 19 - Another deep sea encounter between Tigers and the Sri Lanka navy was averted at the 11th hour. This time, it was over a flotilla carrying over 200 armed cadres of the LTTE on boats equipped with heavy guns. The Tigers wanted to move from the Sea Tiger base in Chalai (north of Mullaitivu) to Vakarai (north of Batticaloa).

A navy flotilla which observed preparations for the move radioed the guerrilla boats advising them against it. They were warned of a possible confrontation and the Tigers backed down.

The Norwegian-led monitoring committee, which had on an earlier occasion admitted to committing what they called a "terrible mistake" by not informing Colombo of LTTE requests for troop and supplies movements by sea, this time had passed down the request from the LTTE to the government peace secretariat for permission. The secretariat had informed the Norwegians that the request was a violation of section 1.7 of the MoU and urged the monitors to restrain the LTTE from this exercise.The Tigers informed the Norwegian monitors that they were proceeding nevertheless. The secretariat asked the Norwegians to inform the LTTE that the navy would be instructed to intercept the LTTE movement.

Following this stand-off, the LTTE cancelled its movement of cadres and supplies to avoid a confrontation with the navy.

Ranil wants Global Ban on LTTE to Remain: May 18 - Prime Minister Ranil Wickremesinghe has said that his government was not in favor of international bans on the LTTE being lifted once the organization was deproscribed in Sri Lanka. Although the Sri Lankan government is likely to lift the ban on the Tigers to enable negotiations between it and the LTTE to commence, the Prime Minister told a local television, "We are concerned that the international bans would also be lifted, we don't want them to be lifted."

Wickremesinghe said the United States and India had maintained that local deproscription of the LTTE would not have any effect on the bans in their countries. He will seek support from India, Britain and the European Union (EU) in this regard when he meets British Prime Minister Tony Blair, EU President Romano Prodi and Indian Prime Minister Atal Behari Vajpayee during his visits within the next three weeks.

The LTTE remains banned U.S., Britain, Canada, Australia and India.which has recently decided to extend the ban for another two years.

Sri Lankans caught in narcotics bust: May 19 - Indian anti-narcotics agents have arrested a Canadian, five Indians and five Sri Lankans in an operation linked to the largest-ever seizure of heroin in Tamil Nadu, the Press Trust of India reported.

The Narcotics Control Bureau said a total of 55 kilograms of refined heroin was seized in the previous three days from the suspects and their local contacts and added the cache was worth 550 million rupees on the international market.

The bureau said a Sri Lankan-born Canadian was held earlier on 19 May as part of the ongoing crackdown in the coastal state. The federal agency did not disclose the Canadian's identity but said he was arrested at the international airport in the state capital Madras while trying to fly out with five kilograms of high-grade heroin.

The drug bust is the largest ever in the state of Tamil Nadu, which is separated from Sri Lanka by a narrow strip of sea. Last month a Sri Lankan national was arrested after graded heroin worth 500 million rupees was seized in Madras city.

The bureau fears that narcotics trafficking in Tamil Nadu could be aimed at financing terrorist operations in Sri Lanka.

In the past year the federal agency has recovered as much as 185 kilograms of heroin in 12 separate seizures, and in most cases Sri Lankan nationals were involved.

"Last chance for peace": May 20 – "This is the last chance for peace. The Sri Lankan government should firmly grasp this opportunity and make the most of it to settle the conflict. We, the Liberation Tigers, are resolutely committed to peace. But if the peace talks were to be scuttled and fighting breaks out again, it would be the last war. This is why we reiterate that a peaceful negotiated settlement to the conflict can help us all live in peace," said Mr. S. Karikalan, the first senior leader of the Liberation Tigers to enter a Sri Lanka army held area in the northeast province of the island after the signing of the ceasefire agreement between Colombo and the LTTE on 24 February 2002, addressing a meeting 20 May morning in Chenkalady, 16 kilometres north of Batticaloa.

Mr Karikalan entered the SLA held Chenkalady town through the Black Bridge around 9.30 a.m. accompanied by Ms. Bhanuka, the leader of the Women's section of the LTTE's political division for Batticaloa and Ampara, 'Reggie', the military commander of the Aandaankulam Sector (Batticaloa North) and Mr. Nizam, the officer in charge of the LTTE's economic development organisation for Batticaloa and Ampara.

Mr. Karikalan was welcomed by the people of the town, Mr. Gnanamuttu Krishnapillai, Tamil National Alliance MP for Batticaloa, NGO representatives, government officials and local community leaders.

Speaking further Mr.Karikalan said: "Our people have endured immense deprivation, death and destruction in the war waged on us by the Sri Lankan state. But our leader will never compromise our rights for concessions from the Sri Lankan state. He will always remain committed to the struggle for achieving the legitimate rights of the Tamil people. Our national leader is not only adept in the art of war but he is also skilled in the methods democratic struggle. He has clearly shown that it is possible to find a solution to the conflict through peaceful means too. We are calling on all youth over 18 to join us for political work. You stood by us in the liberation struggle. We have come to work among the Tamil people and to serve them politically."

Govt-LTTE direct discussions: May 22 - The Sri Lankan Prime Minister's office said that the discussions that took place on May 21 between officials from the Peace Secretariat of thje Government and the Liberation Tigers were constructive and held in a cordial atmosphere.

The discussions between the head of the LTTE's Political Section, Mr. S. P. Thamilchelvan, and the government team led by Mr. Bernard Goonatilake, Director General of the Peace Secretariat, centred on issues relating to the operation of A9 Kandy-Jaffna route, repairs to the road with Asian Development Bank (ADB) funds, political activities of LTTE cadres and the freeing of places of worship, public buildings and schools now occupied by the Sri Lanka Army and police, according to a press release issued by the Prime Minister's office on 22 May.

Mr. Thamilchelvan had said during the discussion that the results of the local government elections held on 20 May, in which the governing party obtained a crushing victory over the opposition, were a demonstration of the support of the people in the south for the peace process.

Mr. Goonatilake assured LTTE officials during the discussion that the government would continue to do its utmost to achieve lasting peace. Mr. Thamilchelvan reciprocated by assuring the government of the LTTE's continued support for the peace process, the press release from the PM's office further stated.

The government team was accompanied by Norwegian diplomat Mr. Thomas Strangeland and was flown to the LTTE's political headquarters at Killinochchi Tuesday morning by a Sri Lanka Air Force helicopter.

Return of displaced people: May 23 - More than 71,000 internally displaced persons (IDPS) have returned to their homes since the beginning of the year in Jaffna, Kilinochchi, Mullativu, Mannar, Vauniya, and Trincomalee and Batticaloa districts. According to information provided by the government and cross-checked by UNHCR field offices, more than 35,000 returnees in Jaffna district account for nearly half the total.

According to an UNHCR report it has clearly increased since the Feb 23 cease-fire agreement. The report says that, although the UNHCR continues to maintain that conditions in Sri Lanka are not yet conducive to promote or facilitate large-scale,

organized IDP return or repatriation of refugees from India the agency is monitoring the situation of spontaneous returns to ensure that they occur voluntarily.

Further delay in talks likely: May 23 - After having almost three hours of discussions with Norway's Deputy Foreign Minister Vidar Helgesen, peace envoy Erik Solheim and Kjirste Tromsdal of the Norwegian Foreign Ministry at his home in London on 22 May, Anton Balasingham, LTTE's chief negotiator, indicated that direct peace talks with the government could be delayed due to a cease-fire agreement not being fully implemented. "We are disappointed with the lack of progress in implementing the truce, this could cause delays in holding the Thailand talks," Balasingham was quoted as informing the Norwegians who have been trying to get the government and the LTTE round the negotiating table.

"It's 90 days since the agreement was signed but normalcy has yet to dawn in the northern peninsula," Balasingham said. His main charge was that Sri Lankan armed forces had not vacated from places of worship and public buildings in line with the Ceasefire Agreement. Balasingham also stressed the need to lift the ban on the Tamil Tigers ahead of talks, a demand the Sri Lankan government has said it is considering.

The government on the same day announced, however, that all but three temples in the northern war zone had been evacuated by the troops. A senior Defence Ministry official attributed the delay to problems of finding alternative accommodation for the troops.

"We are trying to get temporary structures because we have confidence in the peace process. We do not need permanent structures," Defence Secretary Mr. Austin Fernando said.

Quoting sources in the Defence Ministry, reports say that besides finding accommodation for the troops, the Government was also concerned that the redeployment must not affect its control over Jaffna peninsula.

Thondaman visits Jaffna: May 23 - Estate Infrastructure and Housing Minister Mr.Arumugam Thondaman arrived in Jaffna via the Kandy-Jaffna Road (A9) on a two-day official visit. He held a conference with Government officials at the Jaffna Secretariat and was told that more than five thousand houses in the Maruthankerni division and Thenmaradchchi area alone had been destroyed and damaged due to military operations by the Sri Lanka Army.

The Jaffna Government Agent appealed to the Minister that the Government should take immediate steps to provide financial assistance to the house owners to rebuild their dwellings. The Additional Government Agent Ms. Pathiniammal Thilakanayagam Paul brought to the notice of the minister that the entire Valikamam area surrounding the Palali main army camp and airbase has become no-man's land with the mass displacement of people since 1986 due to military operations by the SLA. The AGA also stressed that the displaced should be resettled in the villages in the Valikamam area and they should be provided with necessary assistance to rebuild their houses.

Minister Thondaman replied that the government is "dedicated" to the development of the war ravaged Jaffna peninsula. However, "people cannot expect any development within a short period."

The Minister also visited Chavakachcherii, Navatkuli and several other adjoining villages where a large number of houses had been razed to the ground due to military operations by the SLA. He donated roofing materials to poor people who had lost houses in the war.

Fishing restrictions relaxed: May 23 - The Sri Lankan government has issued a gazette notification under the Prevention of Terrorism Act specifying areas in the Northeast that have been restricted for fishing. The government will appoint a Competent Authority in charge of the newly demarcated restricted areas under this gazette notification.

Schedule: Areas of the North and East, which comprise the Restricted Zone The "restricted areas" shall comprise the areas along the coast line of the dministrative districts of Trincomalee, Mullaitivu, Jaffna, Killinochchi, Mannar and the adjacent Territorial sea, as are identified by the Co-ordinates set out below and as depicted in the map attached hereto: - Approaches to Trincomalee harbour; Approaches to Kankesanthurai harbour; From Kokuthoduvai to Elizabeth point; From Manalkadu to Mandaitivu; Talaimannar Island.

According to the ceasefire agreement which came into effect on February 23 (and is referred to as D-day), "a gradual easing of the fishing restrictions shall take place starting from D-day."

According to the agreement, "As of D-day + 90, all restrictions on day and night fishing shall be removed, subject to the following exceptions: (i) fishing will not be permitted, within an area of 1 nautical mile on either side along the coast and 2 nautical miles seawards from all security forces camps on the coast; (ii) fishing will not be permitted in harbours or approaches to harbours, bays and estuaries along the coast."

LTTE gets unrestricted access: May 24 - An unlimited number of LTTE members would be free to enter government-controlled areas of northern and eastern Sri Lanka from today for political work. The move comes under terms of a truce that has completed 90 days of near-successful compliance by both sides.

The ceasefire accord signed by Prime Minister Ranil Wickremesinghe and LTTE leader V Prabhakaran came into effect on February 23, and Tiger cadres have been allowed in restricted numbers to indulge in political activity in government-held towns and villages.

According to defence officials, LTTE members would be allowed without the need for prior permission into government territory. The only condition is that they should not carry arms or wear their military uniforms.

The LTTE has set up political offices in several towns already, and has also been recruiting volunteers for political work, which essentially involves organizing and addressing public meetings and mobilizing the Tamil population for propagana and protest rallies.

Amounting to a de facto removal of the 1998 ban on the LTTE, the extent of its overt political activity has rendered an official decision on de-proscription a mere formality.

Ratwatte released on bail: May 24 - The Court of Appeal ordered the release of the main suspect in the Udathalawinne massacre case, former Deputy Defense Minister General Anuruddha Ratwatte on conditional bail. General Ratwatte has been banned by the court from travelling abroad. He was asked to surrender his passport at the Teldeniya magistrate's court.

The Court of Appeal made the release order when the Attorney General did not object the bail application filed on behalf of General Ratwatte which came up for inquiry 24 May. General Ratwatte was ordered to furnish cash bail of Rs 25,000 rupees with two sureties. The Court further ordered General Ratwatte to appear before the Criminal Investigation Department every second Saturday of the month.

General Ratwatte and his two sons Lohan and Chanuka were arrested along with several soldiers of the SLA in connection with the massacre of ten Muslims at Udathalawinne in Kandy district on 5 December during the Parliamentary polls last year. General Ratwatte's two sons are still in remand.

Experts panel to aid talks: May 26 - An international panel of experts, including some from India, will assist participants in the proposed peace talks supposed to take place sometime in late June between the Sri Lankan government and the LTTE in Thailand. Peace facilitator Norway is constituting a panel of legal resource persons to function in a consultative capacity during direct talks between the government and the LTTE, *The Sunday Leader* reported from Colombo.

The legal experts panel will be available to advise the parties decide the structure of the interim regime, its powers, composition and relationship with the Sri Lankan government. A former chief justice from Switzerland and two constitutional experts from Canada have already agreed to serve on the resource persons panel. Three legal luminaries from India specialising in center-state relations are also expected to be on the assisting panel, the newspaper said.

The panel would be in addition to any team of experts that the parties the government and the LTTE would bring to the talks on their own, it said.

Norway Peace Team in Colombo: May 27 - Mr. Vidar Helgessen, the Norwegian Deputy Foreign Minister, accompanied by Mr. Eric Solheim arrived in Colombo on May 25 to hold talks with the Sri Lankan leaders including the president Mrs. Chandrika Kuranathunga.

The Norwegian officials met the Sri Lankan Ministers Prof. G. L.Peiris, Milinda Moragoda and Tyronne Fernando. The Norwegians briefed them about their discussions with Mr. Anton Balasingham in London the previous week.

The Ministers wanted the Norwegian officials to press LTTE to compromise on certain issues and wanted the LTTE to agree on a firm date for the talks in Thailand.

President Kumaratunga is reported to have told Vidar Helgesen that all core issues relating to the ethnic problem of the country should be included in the agenda for peace talks between the government and the Tamil Tigers. She was quoted as saying that core issues were particularly relevant to the proposed interim administration for the north and east. It should not be implemented until the core issues were finalized.

On the question of the delay in the commencement of talks between the parties, Vidar Helgesen said it could be a mistake to try and rush the two sides to the negotiating table. "Time is clearly important but the most important thing is to agree on an agenda for talks," Helgesen tol a local television station. "The aim is to bring the two parties to the table as soon as possible but if you rush it and bring them to the table with no clear agenda, I think that would be detrimental," he said. "We are most interested in the quality of the agenda than in the actual timing," he added.

Helgesen answering a range of questions said that it was upto both sides to make compromises and sacrifices to find a solution to the ethnic conflict. However, he said he wanted to make it clear that the Norwegians did not want to enforce a solution, but the solution would have to be reached between the parties involved in the conflict and the people of the country.

"We are acting only as facilitators in this process," he said. Helgesen added that the number of international monitors would be increased to 40 from

20 members, but made it clear that the monitors were only involved in monitoring the cease-fire agreement and not trying to take action against those violating it.Referring to the ceasefire violations reported so far, Helgesen said that any of these incidents had no serious impact on the peace process and the situation was much better compared to ceasefire violations in other countries.

72 migrants bound for Italy arrested: May 27 - The Sri Lankan police today arrested 72 people, including Indian and Pakistani men, as they were trying to leave illegally for Italy on a fishing trawler, police officials said. Some 12 Indian, 42 Pakistani and 18 Sri Lankan men were taken into custody from a house near the southern port of Galle, 115 km south of the capital Colombo. "They were trying to take a fishing trawler to Italy. We are also trying to find out how Indian and Pakistani nationals got here," a police official said.

Security has been intensified from Galle to Chilaw to prevent immigrants from being transported illegally to Italy and other European destinations. The police have increased the number of mobile patrol units in an attempt to prevent smugglers from illegally trafficking human beings along this coastline.

The Sri Lanka Navy have also been placed on high alert following reports that the southern coast from Galle to Chilaw is being regularly used by human smugglers to secretly transport Sri Lankans abroad.

In February, four people died when a boat carrying 90 migrants headed for Italy capsized after hitting a boulder off Sri Lanka's southern coast. And in January, police arrested 179 migrants in Negombo, a coastal town 20 kilometers (12 miles) north of Colombo.

Civilian Flights to Jaffna: May 29 - Private airlines are resuming flights to northern Jaffna peninsula which has been battered and largely cut off from the rest of Sri Lanka by years of warfare. All private flights to Jaffna 300 kilometers (190 miles) north of the capital Colombo, were stopped in September 1995 amid fears Tamil Tigers might target them. A flight to Jaffna carrying 55 passengers and crew disappeared in October 1998 amid that rebels shot it down.

Private flights would be a breakthrough for Sri Lankans, mostly Tamils, who must travel to and from Jaffna land access has long been blocked because of the fighting. Passengers traveling to the north had to take a difficult journey by sea, often having to wait for days to get on vessels at the eastern port city of Trincomalee. The only flights available were arranged by Sri Lanka's air force.

Under an agreement between the government and the LTTE, the A9 highway to Jaffna was opened for public traffic last month. The government also approved commencement of private flights last month.

The airlines will initially operate only passenger flights, because cargo facilities are inadequate at the Jaffna airport.

PLOTE accuses LTTE: May 29 - The Peoples Liberation of Tamil Eelam (PLOTE) today lodged a complaint with the Sri Lanka Monitoring Mission that many of its office buildings and other belongings have been forcibly taken over by the LTTE in Vavuniya.

I. Mahendran, speaking on behalf of PLOTE says the LTTE have even taken over its office at Vavuniya which housed the student wing of PLOTE. He claims that PLOTE's other offices at Vavuniya have also been taken over by the Tigers by pushing the former Tamil militants out of their office buildings.

Banners, posters and other paraphernalia belonging to PLOTE he says, have also been taken by the LTTE. He alleges that as a result the functioning of the organization has been seriously hindered.

UK backs peace initiative: May 29 - UK Prime Minister Tony Blair has voiced his full backing for the peace process in Sri Lanka in talks with his Sri Lankan counterpart, Ranil Wickramasinghe, at Downing Street on 29 May.

A Downing Street spokesman said, "The Prime Minister stressed his strong support for the peace process in Sri Lanka."

After the meeting, a UK Foreign Office statement, "The United Kingdom welcomes the considerable progress which the Sri Lankan government and theLTTE have made towards a peaceful settlement of the conflict" and urged the LTTE to "renounce terrorism once and for all". "Direct talks between the two parties would be a significant step forward and would have our full backing," the Foreign Office said.

"For peace to succeed, there must be respect for the rights of all communities, Tamils, Muslims and Sinhalese, and these rights must be protected by law."

The Foreign Office added: "We hope that the LTTE realises that violence has no part to play in resolving the ethnic conflict and renounce terrorism once and for all.

Before proscription of the LTTE can be reconsidered in the United Kingdom, the LTTE would have to demonstrate a complete and convincing renunciation of terrorism."

Lifting LTTE ban linked to date for talks: May 30 - Outlining a firm negotiation strategy, Sri Lanka today said it would consider removal of ban on LTTE only if the rebel group agreed to a date for commencement of direct talks, and insist on inclusion of core political issues in the peace talks agenda.

"The government is prepared to give its mind to the issue (of lifting the ban), but only in the context of a firm date for talks to commence. Some action can be taken when there is a clear date on which talks will begin," Cabinet spokesman G L Peiris said.

This is the first time that the government has clearly linked the LTTE's demand for pre-talks legitimisation with a date for talks. Observing that "a long and unexplained delay" in beginning talks would affect the peace process, Mr. Peiris said, "An early commencement of talks is desirable unless there are very strong reasons to the contrar," adding that the Government expected that they would begin in the last week of June or early July.

Canadian HC MeetsThamilchelvan: May 30 - The High Commissioner of Canada in Sri Lanka, Ms. Ruth Archibald, had discussions with Mr. S. P. Thamilchelvan on the current state of the island's peace process at the headquarters of the political division of the Liberation Tigers in Kilinochchi on 29 May, according to the Voice of Tigers broadcast from the Vanni. The Canadian High Commissioner conferred with Mr. Thamilchelvan also about development priorities in the war ravaged northern region, the radio said.

Health work in the Vanni by ICRC and the Medicins Sans Frontiers (MSF) with assistance provided by the Canadian Red Cross Society was reviewed by Mr.Thamilchelvan and Ms. Ruth Archibald during the talks from 10 a.m. to 12 noon, according to the radio.

The Canadian HC visited the headquarters of the Tamil Rehabilitation Organisation (TRO) in the Kilinochchi town after the meeting and had discussions with officials there, the VOT said. The TRO is the main rehabilitation and development NGO in the Vanni.

Dispute over access to islands: May 30 - "We will not enter the islands off Jaffna in compliance with the conditions that the Sri Lanka Navy has imposed on us now. The Navy's action is aimed at further subverting the peace process and creating a fear psychosis among the people of the islands," said Mr. Ilamparithi, the head of the political office of the Liberation Tigers in Jaffna, responding to the 12 conditions stipulated by the Sri Lanka Navy for allowing his colleagues to engage in political work in the islands off the northern peninsula.

"Sri Lankan officials were initially agreeable to letting us work in the islands with few conditions. But the stringent rules they have come up with now shows a sinister motive. Some of the conditions are quite plainly meant to humiliate and criminalise us," Mr. Ilampairithi said.

The SLN earlier declared the islands of Punguduthеevu, Nainatheevu, Eluvaitheevu, Analaitheevu, Mandaitheevu and Karainagar as military zones which the Tigers were prohibited from visiting under the terms of the ceasefire accord signed in February this year.

The LTTE raised strong objections to the SLN declaration on the grounds that many thousands of Tamil civilians live on these islands and they need to engage in political work among them.

Violations, not serious says SLMM: May 30 - The Norway-led Sri Lanka Monitoring Mission overseeing the ceasefire agreement between the government and the LTTE declared on 29 May that the ceasefire violations reported so far were not serious enough to jeopardise the agreement.

The SLMM in a five-page statement released the figures of the complaints, but stopped short of naming the parties responsible for the violations and declared that "the parties' compliance with the ceasefire agreement is going extremely well."

"None of the ceasefire violations jeopardise the agreement," it said.

Out of 197 complaints received by the mission, only 58 are violations of the ceasefire. Though they did not name the parties responsible for the violations, the nature of the complaints gave an indication as to who was responsible for the incident. The complaints against the LTTE were about collecting tax, extortion of money, illegally crossing the Sri Lanka army's main supply route and carrying weapons while the complaints against the security forces were about occupying schools, temple and other public property.

The highest number of complaints came from the eastern province. The monitors said that there were 30 violations reported from the eastern Batticaloa and 10 of them were abductions. They were yet to inquire inquire into 34 more complaints received from Batticaloa.

'One state, one people and one homeland': May 31 – During his visit to Europe, Sri Lankan Prime Minister Ranil Wickremesinghe said in Brussels said that negotiations with the LTTE will be in the context of "one state and one people, with one homeland called Sri Lanka."

Stating that he hoped peace talks will begin by the end of June or early July "at the latest", he said, "I don't say we will come up with solutions overnight, because the final peace settlement should not be rushed."

Praising New Delhi's role in settling the island nation's conflict, he said "India is helping us a lot with our peace process. I am looking forward to

meeting Prime Minister A B Vajpayee when I am in New Delhi from June 9 to 11."

Repatriation of Tamil Refugees Begins: Junel - With the ceasefire between the LTTE and the Sri Lankan Government holding for five months, the United Nations High Commission for Refugees (UNHCR) has begun repatriating the Sri Lankan Tamil refugees from Tamil Nadu, but the agency cautioned that it was yet a tentative process.

Three persons in their seventies were the first to return to Sri Lanka earlier this week. They were provided air tickets by the UNHCR up to Colombo from Chennai, and financial assistance for food, lodging and transport home.

The U.N. agency said that it had been approached by 650 of the 66,000 refugees in the Government-run refugee camps in south India for repatriation. It said it was looking at 85 cases on a priority basis for reasons of age, physical or mental disability and lack of family support in the camps. The three who returned were among 15 whose cases had been fast-tracked because of their "vulnerability", the UNHCR said. Both the Indian and Sri Lankan authorities had given the UNHCR permission to proceed with the repatriation.

The agency said it had agreed to assist in the repatriation despite its reservations about promoting or facilitating "large-scale, organised repatriation at this stage." Those who had approached it were being interviewed to ascertain if their desire to go back was voluntary. It had also begun the process of assessing places to which these people want to return for safety, shelter, infrastructure and employment opportunities. Those who are repatriated will have their travel expenses met, and upon arrival in Sri Lanka, will be given Rs. 5,000 an adult and Rs. 2,500 a minor.

The statement noted that 50 refugees had crossed the Palk Straits from India to Mannar on their own, and said that such spontaneous return appeared to be continuing. The UNHCR asked local residents to advise the returnees to report to one of its offices so that they could avail of the assistance the agency was offering. Over 70,000 internally displaced people had also returned to their homes in the northeast since the beginning of this year and the trend had increased after the ceasefire accord was signed, the agency said.

"Although the UNHCR continues to maintain that conditions in Sri Lanka are not yet conducive to promote or facilitate large-scale, organised IDP return or repatriation of refugees from India, the agency is monitoring closely the situation of spontaneous returns to ensure they occur voluntarily, with safety and dignity," the statement said.

UNP keen on national government: June 2 - The ruling United National Party has re-approached President Chandrika Kumaratunga about plans for the formation of a National Government, mainly aimed at coming up with a common position on the settling of the etnic conflict and negotions with the LTTE, sources close the UNP leadership said.

UNP Chairman Malik Samarawickrema has discussed the issue with Kumaratunga. The meeting took place in the wake of Prime Minister Ranil Wickre-mesinghe's meeting with the President on the eve of his departure to Europe where he was drumming up support for his peace initiatives with the LTTE.

Wickremesinghe had given the nod to an earlier suggestion by the People's Alliance in a policy statement on the current peace process, where they had called for a Joint Committee headed by both Kumaratunga and Wickremesinghe to map out a strategy in the Norwegian-brokered peace process.

Samarawickrema had followed up on the Joint Committee proposal, but the arrangement for bi-partisanship on the country's most crucial issue collapsed when the name of Industrial Development Minister, chief Cabinet Spokesman and chief Government negotiator with the LTTE (designate) Prof. G.L. Peiris' name was recommended to be on the Committee.

President Kumaratunga vehemently opposed having Prof. Peiris, who served her as one-time Deputy Finance Minister and held the portfolios of Justice, Constitutional Affairs, Ethnic Affairs, National Integration and Industries in her Government, on the Committee.

Political analysts observed a common thread in the approach to the LTTE question, when Wickremesinghe told the Development Committee of the European Union last week that "core issues" will have to be discussed at the negotiating table with the LTTE.

Kumaratunga's spokesman Harim Peris confirmed the meeting between the President and Samarawickrama, but downplaying the issue about the national government said the meeting was regarding the peace process.

World Bank Visits Jaffna: June 3 - The World Bank said today that the situation in Jaffna is still not suitable for starting long term development projects in the northern peninsula. The Vice President of the Bank (South Asia Region) Mr.Mieko Nizhimisu and its Sri Lanka co-ordinator, Marianna Todorova, visited the Kopay College of Education, the destroyed Chavakachcheri town, and the Jaffna District Secretariat. The Bishop of Jaffna, Rt. Rev. Thomas Soundranayagam, told the World Bank team when it called on him later in the day that 60 percent of the houses in the peninsula have been damaged by the war. Sri Lanka's Minister for Economic Reforms, Mr. Milinda Moragoda accompanied the World Bank team. He too called on the Bishop. Mr. Moragoda, addressing those gathered at the meeting in the Bishop House said that his government was seeking foreign assistance for development programs.

The Bishop told the World Bank officials that they should assist the redevelopment of education in the northeast province. He drew their attention to the fact that there is a persistent and severe shortage of schoolteachers in the province and that education has been very badly affected by the war in the Vadamaradchi and Thenmaradchi divisions of Jaffna.

The Bank team discussed education related problems with local officials at the Kopay College of Education. Education officials urged the World Bank to provide assistance to reconstruct war-damaged schools in Thenmaradchi, Pachchilaipalli and Vadamaradchi east regions of Jaffna.

President's ex-media Advosor on arson charge: June 4 - Film star and former presidential media advisor, Sanath Gunatilleke has been ordered to appear before the Monaragala Magistrate his court on June 14, 2002.

Gunatilleke is being summoned in connection with the incident of arson on film actress Anoja Weerasinghe's home at Monaragala on January 2, 2001.

Among the suspects arrested in connection with this case is one police constable attached to the Buttala police and three PA supporters of former PA deputy minister and MP for Monaragala, Jagath Pushpakumara.

In January 2001, actress Anoja Weerasinghe's home at Monaragala was burnt. Her belongings and more importantly valuable irreplaceable reels of film had been pulled out of their boxes and charred beyond redemption.

A driver who was working for Jagath Pushpakumara and now taken into custody in connection with this incident has told police that he received instructions from Sanath Gunatilleke to burn down Anoja Weerasinghe's home and in particular the reels of film she kept at Monaragala.

When asked, Anoja said, Sanath is quite capable of planning and instigating such a despicable act - he was never my friend, even though we have acted in at least 15 films together. I always had deep reservations about him."

Her statement is in stark contradiction to what Sanath has confided to senior police officers and friends. Quizzed with regard to the incident, Sanath says, "Anoja is my friend. I would never ever have resorted to such an act that would harm and hurt her."

Anoja says the bitter campaign against her began when she openly canvassed votes for Ranil Wickremasinghe during the presidential election of 1999.

LTTE ban to be lifted 10 days before talks: June 5 - The Sri Lankan Prime Minister Mr. Ranil Wickremasinghe today assured the a nine-member delegation of MPs of the Tamil National Alliance (TNA) which met him on 5 June that the ban on the would be lifted ten days ahead of the commencement of the peace talks in Thailand.

After briefing about his recent European tour and the outcome of the talks he had with the European leaders regarding the current peace effort, the Prime Minister advised the delegation that the government was committed to lifting the ban on LTTE in Sri Lanka and it would take place ten days ahead of the commencement of the peace talks, although the TNA delegation insisted the ban should be removed immediately.

Referring to the request made by the TNA to allocate more funds for the rehabilitation and resettlement of displaced people in the war ravaged Northeast province, the Prime Minister said that he canvassed financial assistance from aid agencies and countries during his European tour. But those agencies and countries had intimated to him they were awaiting the commencement of the official peace talks between the government and LTTE to take a final decision in this regard, recalling their earlier experiences in Sri Lanka. However the Prime Minister told the TNA delegation that some financial assistance could be obtained to implement urgent rehabilitation and resettlement projects for the displaced.

Queen visits Hindu temple in UK: June 7 – Britain's Queen Elizabeth II visited a Hindu temple on 6 June taking off her shoes and chatting to worshippers during the stop, as part of her effort to recognize all of Britain's religions during her Golden Jubilee year. The Queen plans to visit a synagogue, mosque and Sikh temple in the next few weeks.

Celebrations of her 50 years on the throne during a four-day national holiday that ended on 4 June were a big success, with an estimated million people coming to London for a pop concert at Buckingham Palace and again to watch the Queen ride through the city in an ornate golden coach. She is touring Britain and the Commonwealth throughout the year.

The Queen removed her shoes to enter the Archway Murugan Temple in Highgate in north London and put on a garland of yellow marigolds and purple chrysanthemums. Four Hindu priests blessed the monarch and her husband, Prince Philip, wishing them peace and long life.

Tigers pay homage to TULF leader: June 7 - The body of Mr. Murugesu Sivasithambaram, the leader of the Tamil United Liberation Front, which was

on its way to Jaffna was taken to Kilinochchi on June 7 afternoon. The head of the LTTE's political division Mr.S.P.Thamilchelvan and other members of the organisation paid their last respects to the departed TULF leader at the Thooyavan College for Political Studies where the cortege lay this for homage by the public.

Mr. Thamilchelvan read out a message of condolence on behalf of the Liberation Tigers. The cortege arrived in Jaffna later in the evening.

Earlier the body of the TULF leader was kept on a specially erected dais in the Vavuniya Urban Council grounds. Local leaders of Tamil political parties and leading citizens of Vavuniya including the Government Agent Mr. K. Ganesh, Vavuniya Magistrate Mr. M.Illancheliyan and High Court Judge Mr.N. Ramachandran paid their last respects to the late TULF leader. A condolence meeting followed.

Referring to the LTTE paying homage to the TULF leader, a jounalist commented that it is an irony that late Mr Sivasithamparam had narrowly survived death with injuries in his chest and shoulder when the then secretary-general of TULF A Amithalinham was shot and killed by the LTTE along with another member of parliament, V Yogeswaaran in 1989 in Colombo.

Extradition of LTTE leader Urged: June 8 - The Rajiv Congress Welfare Trust president, Vazhappadi K.Ramamurthi, has appealed to the President, K.R.Narayanan, the Prime Minister, A.B.Vajpayee and the Congress president, Sonia Gandhi, to press for the extradition of Prabakaran to stand trial in India, in connection with the Rajiv Gandhi assassination.

In telegrams sent to them, he urged the leaders to impress upon the visiting Sri Lankan Prime Minister, Ranil Wickremasinghe, to expedite the extradition request.

Limited Role for Norway: June 9 - The government is expected to ask the Norwegian backers of the peace process with the LTTE to limit their role to that of facilitator or moderator, and not play the role of mediator in upcoming talks with the rebels, reports from Colombo say.

The move comes in the wake of a questionnaire given by the Norwegians to both the Sri Lanka government and the LTTE a fortnight ago where they asked the two sides what role the Scandinavian peace brokers must play during the negotiations.

It is said that what is ruled out is for the Norwegians playing the role of arbitrator - giving rulings and decisions - in the tough negotiations expected, once they begin, to end two decades of virtual civil war in the country.

The broad question asked in writing by the Norwegians from both sides was whether they should play the role of a "facilitator" - only providing the logistics for the meeting but keeping away from direct-talks; a "moderator" - sitting at the table but not participating at the discussions; or playing the role of the speaker in parliament; and "mediator" - actively participating in the discussions and influencing its proceedings. The Norwegians appear to be a clear in their willingness to play any one of these roles.

The United National Front (UNF) government has already communicated this decision to the People's Alliance (PA) saying that the Norwegian role will be limited to that of "moderator", a position the PA is reported to be going along with.

The LTTE's official position has not yet been made known, but its website said that the LTTE wanted a third-party to be involved in the negotiations. They, however, did not mention any names.

The Norwegians who were brought into the Sri Lankan conflict by the PA government, with the acceptance of the LTTE, following international pressure, especially by the donor countries and lending institutions, were first to play the role of a mere facilitator. In Oslo's Parliament, Norwegian Foreign Minister Jan Patersen announced earlier this year in a statement on foreign policy, that his government was playing the role of "mediator" in Sri Lanka's peace process.

SLMCwants to 'share' power with LTTE: June 9 - The Sri Lanka Muslim Congress (SLMC), an important constituent of the ruling United National Front (UNF) government, has said it wished to "share" the proposed Interim Administration in the LTTE-dominated North-East with the Tamil Tigers.

"We will participate in the talks in Thailand on behalf of the UNF government. Being the authentic representatives of Sri Lankan Muslims, we would carefully handle the ethnic issue concerning the peaceful future of the Muslims in the North-East and in Sri Lanka as a whole," SLMC leader and Minister of Ports and Shipping Rauf Hakeem said.

"We would like to 'share' the Interim Administration with the LTTE on the basis that the North-East is the 'traditional homeland' for the Tamil speaking Muslims too," the SLMC leader told reporters at Muhammthiya Mosque in Jaffna on 8 June.

The minister was in Jaffna to attend the funeral of late leader of Tamil United Liberation Front (TULF) M Sivasithamparam, which is to be held this afternoon at Karaveddy in Vadamaradchchi, Jaffna.

On way to Jaffna, he met LTTE's political wing leader S P Thamilselvan in Kilinochchi and discussed the implementation of the Memorandum of Understanding (MoU) between him and LTTE leader Velupillai Prabhakaran in April.

The SLMC leader said during their deliberations, they decided to set up a "special LTTE-SLMC joint committee" to monitor the full implementation of the MoU and to look into the violations, if any.

However, he would once again meet Prabhakaran after the date of commencement of talks in Thailand was fixed, he added.

Don't Lift ban on LTTE, says Monk: June 9 - The Ven. Rambukwelle Sri Vipassi Mahanayake Thero of Malwatte Chpater has warned the government not to de-proscribe the LTTE before a permanent solution is achieved. "Do not hastily de-ban the Liberation Tigers of Tamil Eelam (LTTE) and get caught in a trap", the Buddhist prelate warned the Power & Energy Minister and Deputy Leader of the United National Party (UNP) Karu Jayasuriya on June 8.

The prelate told Mr. Karu Jayasuriya that we need peace and we are for peace. But we do not wish to see that everything is given for the sake of peace. He urged the UNP Deputy Leader and the UNP leadership not to give away everything like letting out the cattle from a shed. Peace talks can be held while the ban on the LTTE continues. Lifting of the ban could be done after talks. Ban should not be a barrier.The UNP Deputy Leader promised the Buddhist prelate that Prime Minister Mr. Ranil Wickremesinghe was taking a genuine interest in the restoration of peace in Sri Lanka and he would listen to the Buddhist monks too. The PM acts with commitment to return peace to the island devastated by protracted war for nearly two decades, he said.

TULF leader's remains cremated: June 9 - The final funeral rites of late TULF leader M. Sivasithamparam was held today at his hometown in the presence of politicians from all parts of the country and religious leaders. Music groups played somber music, and the songs were played constantly in addition to the recalling speeches of late leader M. Sivasithamparam throughout Yaazhppaanam during the last two days.

Mr. Karu Jayasuriya, the Minister of Power and Energy and the Deputy Leader of UNP, Dr. Jayalath Jayawardene, the Minister of Rehabilitation, Resettlement & Refugees, Mr. T. Maheswaran, the Hindu Affairs Minister, Mr. Rahuff Hakeem, the Minister of Port Development & Shipping and Mr. H. M. Azwer, the Minister of Parliamentary Affairs, represented the government. Mr. R. Yogarajan, the parliamentarian from Plantation region represented the Plantation Taamils.

The LTTE political wing members also participated in the final rites where Mr. Ilamparuthy read the LTTE's condolence message. At around 2:30 p.m., the coffin was taken to the Karaveddy Sonappu Crematorium where the cremation took place. Mr. Sujenthiran Sivasithamparam.

Mr. Karu Jayasuriya said the death of late Sivasithamparam was a great loss for the country as a whole. He was a noble politician who fought for the Justice of Thamils where he fought politically and he was the moderate face of the Tamil struggle in Sri Lanka. But it's sorry to hear his death now since the both parties to the conflict come to a negotiated settlement.

Mrs. Mangayakkarasi, the widow of TULF leader late Amirthalingam Appapillai, participated the funeral rites. She sobbed uncontrolably as she sopke. ❐

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Jaffna Hindu professional parents *seek bride of suitable family background for their only son, 32, NHS Research Officer completing Ph.D. shortly. Please send horoscope, details. M 1294 c/o Tamil Times.*

Jaffna Hindu parents *seek groom for pretty daughter, fair, 27, 5'3", computer science graduate in good employment in London. Please send horoscope, details. M 1295 c/o Tamil Times.*

Jaffna Hindu mother *seeks bride for son, 34, permanent resident of Canada in employment and business partnership. Please send horoscope, details, M 1296 c/o Tamil Times.*

About People & Events

Wedding Bells

We congratulate the following couple on their recent wedding.

Lambotharan, *son of Mr & Mrs Kanagaratnam of 83, Cul 3, Unit 2 (2), Mafikeng, South Africa and* **Dr. Janaki,** *daughter of Dr. & Mrs Kamalanathan of 21, Oakmont, Diascia Street, Northvilla 1501, Johannesburg, South Africa on 9th February 2002 at Melrose Sivasubraswami Temple, Johannesburg, South Africa.*

Obituaries

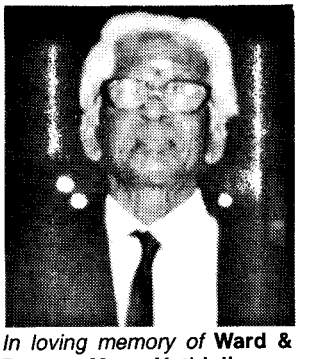
Mrs Mani Sivasubramaniam; *the dearly loved wife of the late Sivasubramaniam; sister of the late Wijayapashkaran and Dharmapalan (Sydney); sister-in-law of late Sivabaladevi and Sarojini (Sydney); much loved mother of Ranji (London), Pathu (Sri Lanka) and Ravi (Melbourne); mother-in-law of Sivasundram (London), Raghu (Sri Lanka) and Rani (Melbourne); grandmother of Meera & Jehan (London), Dinesh & Brintha (Sri Lanka) and Prasanth & Sharuni (Melbourne) passed away peacefully on April 3rd 2002 at her home in Manipay, Sri Lanka, aged 80 years. The cremation took place in Manipay on 7th April.*

The members of her family wish to thank all relatives and friends who sent messages of condolences.- 9 Fallow Close, Retford, Notts DN22 75P, UK.Tel: (01777) 708076.

Benedict, Anton Jayanathan *(Retired Civil Engineer, British Rail), Dearly loved husband of Dr. Marina Benedict and father of two loving sons, Adrian and Anselm; Dearly beloved son of the late Mr. & Mrs. S.M.Benedict, Negombo, Sri Lanka passed away in London on 9th May 2002.*

The family would like to take this opportunity to thank all those who attended the funeral on 16tb May and also the many who sent their condolences.

In Memoriams



In loving memory of **Ward & Davy Mr. Vythialingam Anandanadarajah** *on the second anniversary of his passing away on 12th May 2000.*

Sadly missed and fondly remembered by his children Skandamalar, Sivanandan, Sivakumari, Gayathri, Ravindran and Bhahirathan; sons-in-law Indrakumar, Santhirakumar and Shan Navaratnam; daughters-in-law Bhama, Vasundra and Vathsala; sisters Kamalanayaki Param Thillairajah and Pathmavathy Balasingam; grandchildren Pradeep, Prasanna, Sharmatha, Murali, Brindan, Thayanuji, Sivanuji, Mayruja, Aarani, Luxmy, Kannan, Vibushini, Kailesh, Lalithayini, Sanjutha and Shivanthi. - 4a Ringwood Road, LutoN, Beds. Tel: 01582 582619.

In loving memory of **Mr. Sivapragasam Thirunavukkarasu** *on the second anniversary of his passing away on 15th April 2000.*

Sadly missed and fondly remembered by his beloved wife Thurairathinam, loving daughters, sons, sons-in-law, daughters-in-law, grandchildren, brothers, sisters, brothers-in-law and sisters-in-law. - S. Anantha-moorthy, Canada.

In loving memory of **Mrs Ranjini Geetanjali Thiruna-vukarasu** *on the sixth anniversary of her passing away on 24th May 1996.*

Sadly missed and lovingly remembered by her husband Thirunavukarasu; children Poornima and Pradeep; father Mahalingam; mother-in-law Mrs P. Ponnuthurai; sisters Mrs. Lalitha Dilkushi Karun-

akaran and Priyadarshini Damayanthy; brothers Premkumar, Mohanakumar, Ranjitkumar, Nimalkumar and Tilakumar; brothers-in-law Karunakaran and Balanathan; sisters-in-law Kamalarani, Vijayalaxmi, Nirmala, Yasothara, Nalini, Kamaladevi and Sugirthadevi. - M. Ranjitkumar, 12 Chase Lane, Barkingside, Essex 1G6 1BH. Tel: 020 8554 2095.

Fifteenth Death Anniversary

Mr. S. Sivasambo,
Retired Post Master
(15/05/1909 - 23/05/1987)

Always fondly remembered by his wife Sivakolunthu; children Sridas, Sriharan, Gowri and Sriskanthan and their families.

In ever loving memory of **Dr. Parameswaran Kandiah** *on the twelfth anniversary of his passing away on 12th May 1990.*

Twelve years have rolled by since the passing away of a much dedicated doctor, loving husband and father. To have lived and known a man such as him is surely an inspiration to bring out the goodness and kindness in us all. God bless you.

Sorrowfully remembered by his beloved wife Pathmaseni and loving children Thayalan and Anjali - 29 Mounstan Close, Hartside Grange, Hartlepool TS26 0LR

Third Anniversary Remembrance

In ever loving and precious memory of Mrs Rasathy Thirunavukkarasu, daughter of the late Dr. and Mrs. Ambalavanar of Suthumalai, Sri Lanka on the third anniversary of her passing away on 4th July 1999.

Sadly missed and fondly remembered by her beloved husband Thirunavukkarasu; daughters Vasuki and Dr. Vatsala; sons-in-law Pathmalingam and Suresh; grandchildren Thusan, Shiva and Suji; brothers Dr. Ponnampalam (Australia) and Sritharan and their families. 28 Foxmead Close, Enfield, Middx EN2 7JG. Tel: 0208 363 0922.

Eleventh Death Anniversary

In ever loving memory of **Mr Balasubramaniam Sivagananthan** *on the eleventh anniversary of his passing away on 22nd June 1991.*

Remembered with love and affection by his stepmother Mrs Raj aletchumy Balasubramaniam (Australia); wife Kamala (Sri Lanka); brothers Dr. Sivaloganathan (UK), Thirunavukkarasu (Austraia), Radakrishnan (Chennai) and Sritharan (Australia);sisters Mrs Gowri Pathmanathan, Mrs Bhagawathy Mohanadas (both of Sri Lanka), Mrs Mangayarkkarasi Jetheendran and Mrs Jayanthi Kumaranayagam (both of Australia)- 22 Oakwood Drive, St. Albans, Herts. Tel: 01727 853331

Forthcoming Events

Jul 3 *Feast of St. Thomas*
Jul 4 *Feast of St. Elizabeth*
Jul 6 *Karthigai; Eekathasi*
Jul 7 *Pirathosam*
Jul 9 *Amavasai*
Jul 11 *Feast of St. Benedict*
Jul 13 *Sathurthi; Manickavasagar Guru Poojah; Feast of St. Henry; South Tamil Welfare Group (SLTWG) Trip to Wales Temple. Tel: 020 8542 3285.*
Jul 14 *5p.m. London Tamil Centre Annual Prize Giving at Wembley High School Hall, East Lane, Wembley, UK. All Welcome*
Jul 15 *Shashti; Aani Uthiram*
Jul 20 *Sukkla Eckathasi*
Jul 21 *Pirathosam*
Jul 23 *Full Moon; Feast of St. Bridget*
Jul 25 *Feast of St. James*
Jul 27 *Sankadakara Sathurti*
Jul 29 *Feast of St. James*

At the Bhavan Centre, 4A Castletown Road, London W14 911G. Tel: 020 7381 3086/4608.

July 20 *Bhavan's Summer School of Music & Dance with Dr. M. Balamurali Krishna, Saswati Sen, Dr. Saraswati Sundareshan, Madhav Gudi, Somasundaram Govindasamy and Bhavan' 5 own teachers. Contact Bhavan for details.*

July 28 *6p.m. &* **Aug 3** *6.30p.m. Karnatic Vocal by Padma Vibhushan Dr. M. Balamurali Krishna*

Drama Review
Kaathirupu

A driven leaf in an awe inspiring storm and no resting place where the orgy of violence leaves the oppressor and the oppressed unidentified and the human mind disenfranchised from its heart, is given expression in the explosive half-an-hour play KAATHIRUPU presented by the Tamil Performing Arts Society with delicate refined direction by veteran Mr. K. Balendra and subtly scripted by S. Vasudevan with Tennessee William sensitivity of aggressive impulses of hope intermingled with despondency played with distinction by Anandarani Balendra as mother and Krishnarajah as father of the missing son, brother of Vasudevan acting as their living son. Sivasuthan and Sanjeevaraj take the soldiers' role.

The message is universal in its present global context of violence. From beginning to end, this powerful political drama brings the Jack Lemmon seriousness of the American film "Missing" in which as father he travels to Chile to find his son, who disappeared in the 1973 military coup. He returned without his son but with hope of his return. To a Tamil audience this play presented late in the evening after feasting their eyes on a full day of traditional festivity at Sivayogam, the cultural centre at Tooting Amman Temple, KAATHIRUPU burst through the clouds as thunder and shook their conscience. One could feel that, in the wrapt up silence that descended almost immediately as the play opened with sombre background music and lighting, foreboding an impending crisis in the family. The spell-bound Tamil audience was visibly transformed by the powerful portrayals of the players and the psychological anxiety of eventual inevitability of the absence and return of the son.

The defining moment of the play is the intensity with which they expressed the psychology of disappearance, the feeling that the son is somewhere there and to a great measure bringing out the futility of a state of after-disappearance.

The Tamil audiences abroad are in for future inspirational plays from the Tamil Performing Arts Society. We wish them all success.

- S. Maharasingam

Appreciation : Mr. Suppiah Kanagalingam (1922-2002)

Mr. S. Kanagalingam was born in Malaya, but had his schooling in St. John's College, Jaffna. From an early age, he demonstrated an interest in new technology, in particular the then emerging science of sound. He was relentless for his search for excellence in this highly specialised field, travelling to Bombay and acquitting in Radio Communications and Radio Engineering. Upon his return he joined the Ceylon armed forces and specialised in communications as here was, potentially, the most complex utilisation of his learning for that time. When he left a few years later, his discharge note stated that not only was he 'capable' but also 'excellent' and in particular 'of excellent character'.

This was to become his hallmark, of very good character, always capable and excellent at what he did. Soon he became the sound engineer to the Ceylon Film Unit, where he was talent spotted. He then joined the Association of the British Institute of Radio Engineers which led him, in his thirst for knowledge to the United Kingdom. He underwent training with the Westrex Company, Rank Precision Industries and the J Arthur Rank Productions Ltd in Pinewood Studios. He made many friends including cinema legends such as Michael Caine for whom he had a very high personal regard. He became an expert in sound editing, location and newsreel recording, dubbing and working in advertising with well known personages such as Keating, Crowhurst and Drake. While here, he developed a special interest in 35mm film production. Unusually, he acquitted himself at accounting examinations during this time with the Incorporated Association of Cost and Industrial Accountants.

Lester James Peiris, the famous producer director of films, was an admirer of Kanagalingam's talent. In a citation he commended the 'great success' of the recorder in what was 'no exaggeration' for a film that 'had a most complex and difficult sound track'. He wrote of his 'high degree of skill and a sharp sensitive ear'. Among the films credited were the Government Film Unit's 'Be Safe or Be Sorry' and Lester James Peiris's early classic feature 'Rekawa'.

Through all this, the single most indelible feature of Mr. Kanagalingam was his quiet modesty. By then he had married Pavalam, granddaughter of Mr. Ramanathan J.P. and daughter of Chelvarayan. They had seven children of whom there was a set of triplets. He was, in his very essence a family man. The nine of them was a close knit unit and the children were brought up with kindness and yet with a strong sense of values. To ensure that his rapidly growing family had great expectations, he took up appointment with the Government of Eastern Nigeria in 1962 as the senior Sound Engineer. He helped Nigeria develop its potential in cinematography and subsequently returned to Ceylon to take up the post of Chief Engineer at Ceylon Theatres.

In a tribute, Mr. Sellamuttu, the Chairman, wrote glowingly, thanking him for his 'loyal and devoted services'. Mr. Kanagalingam was a quiet, efficient, highly competent, completely focussed and loyal person. He inculcated those traits in all his children without ever having raised his voice or wielded a rod. To bring up seven children, three boys and four girls, in such a genteel manner and witnessing every one of them to become a model citizen in which ever country they settled down in, is a tribute to his exceptional parenting ability. It was an art of succeeding, without seeming to try; just as all his jobs were, with the various organisations he worked for.

So gentle was he that he left as few disturbances as he could. He upset no one, supported with subtlety and was not to be seen when the credits were shared. Yet, his delivery of his duty to his employers, to his family and to all who came into contact with him was always the same. It was without fear or favour and as the Gita stated, all to him was 'Sukha dhuke same' (Chapter II, v:38). Reading the tributes his many grandchildren wrote at his demise simply reinforces the essence of the man.

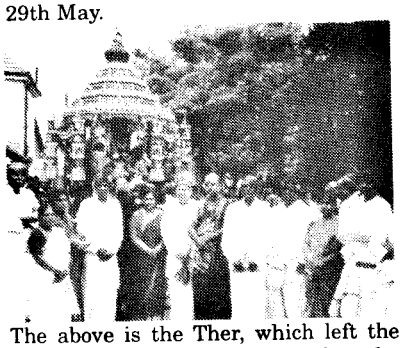
We who knew him well will all miss him. But he would not appreciate that for he would have liked to move on into the afterlife without casting his shadow.

This is just as the philosophy of our ancients had preached.

R. RajaRayan

Sri Raja Rajeswary Amman Temple – Annual Festival Programme

The Annual Festival of the Sri Raja Rajeswary Amman Temple, 4 Dell Lane, Stoneleigh, Surrey commenced on Monday, 13th May 2002 with the Flag Hoisting Ceremony (Koddi-etram), continued for 14 days till the Chariot (Ther) festival on Sunday, 26th May, followed by the Water Cutting (Theertham) ceremony on 27th May, Poongavanam on 28th May and concluded with the Vairavar Madai on 29th May.



The above is the Ther, which left the Temple at 10a.m., drawn by the devotees, traversed the roads around the Temple in a procession and Ambal returned to the Temple at 2 p.m.

During the festival Dr. (Mrs) Saraswathy Ramanathan, Renowned Lecturer from India conducted religious discourses everyday between 7 & 8 p.m. from 12th to 27th May in the temple. Devotees partook in the festival and attended the above discourses in large numbers.

Valli's Landmark Money Market Research

Researching UK money markets in the late 1990's for Gartmore Investment Management, **Valli Niththyan-anthan** was able to appreciate the power of broad macroeconomic forces. When she joined Alliance Capital which manages $7.6 billion in European assets in October 2000 to cover luxury goods, she was able to research into the strengths and weaknesses of particular brands. She says "If you look back at the impact of the Gulf War and the Asian crisis on the sector, it's clear that top brands like Guci tend to bounce back and gain ground after a crisis, while second- tier names like Versace suffer"

The London School of Economics and Political Science graduate says that she favoured the premier names in the weeks after the terrorist attacks in the U.S. "September 11 creates a buying opportunity", she thought at the time. Amidst widespread anxiety about the global economy, consumption of luxury goods fell for several weeks but gradually improved between January 1 and mid April. Her researches revealed that the top brands had an edge over second-tier names in an economic cnsis.

To determine which researchers most distinguished themselves, the American magazine Institutional Investor polled brokerage analysts who received votes in the All-Europe Research Team. Using these figures they selected 25 of the most accomplished researchers and Valli Niththyananthan was selected as the Best of the Buy Side for Luxury Goods. She is the daughter of Dr. & Mrs Niththyananthan of Norval Road, Wembley, UK.

Hindu College Colombo Celebrates Golden Jubilee

The 12th of February 1951 is a red letter day in the annals of the Hindus in Colombo. On this day, the seeds were sown by the Hindu Educational Society to realise the long cherished dream of several Tamil Hindus living in Colombo, of the establishment of an educational institution there, that could impart education which integrates the essence of Hinduism and the nobility of Tamil tradition. It was on this day that the foundation was laid for the birth of the first ever Hindu school, now known as Hindu College Colombo – the precursor to two schools in the same mould and tradition- Hindu College Ratmalana and Ramanathan College, Colombo.

Men of prominence and distinction of that time from the Hindu Educational Society which included Mr Justice C Nagalingam, Sir Kandiah Vaithianathan, Senator S Nadeson, Mr. S. Mahadevan, Mr. K.C. Thangarajah organised the land and buildings for the purpose of starting the school. It was at the 'madam', which was a part of the Kathireson temple complex at Wellawatte, that the school was started with the auspicious name of 'Pillayar Padasalai' with 48 children on its roll. Soon after its establishment and progress, the school was registered as a senior secondary school under the name Colombo Hindu College. With the school gaining prominence with its various educational activities, the number of students increased rapidly and there was a need for its expansion. It was at this juncture, that the trustees of Kathireson Temple generously provided the land on which the present building stands. Through the patronage extended by many residents of Colombo, sufficient funds were raised for the construction of the Saraswathy Hall.

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To provide for further expansion of the school, there was a need to acquire land for the construction of new premises. Funds were mobilised and 100 acres of land were acquired in Ratmalana, out of which 30 acres were made available free for the school and the balance for residential houses. The foundation stone for the new building in Ratmalana was laid by Sir John Kotelewala the then Prime Minister. Even before the completion of the building, the post primary students from Bambalapitya were shifted to Ratmalana with the school at Bampalapitya functioning as the primary school. Mr K Padmanabhan was the first principal serving as the head of both the institutions. Later, Mr N Satiyandra took over and functioned as the principal in an honorary capacity. Following him the principals were Mr T Subramaniam and then Mr S Ambalavanar.

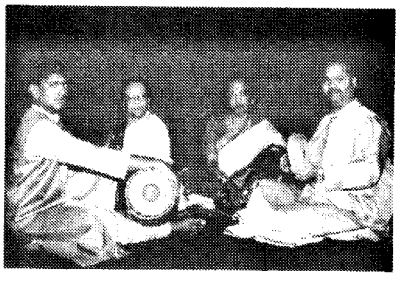
During the period of Mr S Ambalavanar, the idea of bringing the Hindu College Colombo in par with the Hindu College Ratmalana took shape. In 1967, under the stewardship of Mr P Nalliah, the then principal of the school, the primary section of the school at Bambalapitya was raised to the status of a junior school. Thereafter, the institutions at Bambalapitya and Ratmalana, which were hitherto functioning as one body, began to function as two separate entities. On the retirement of Mr P Nalliah, Mr.T. Sangaralingem was appointed principal. In January 1979, it was the desire of the parents and well wishers to admit girls as well to this school and as there was no accommodation available, it was decided at a function at which, Mr J R Jayawardene, the then president of Sri Lanka was present that new buildings for this purpose should be put up. An appeal was made by the principal Mr. Sangaralingem and his staff to Mr Palaniappa Chettiar who owned the adjacent land to part with it, for the purpose of establishing a girls school. Following this, the necessary land was acquired and the foundation was laid in November 1980. With the untiring help rendered by many in mobilising funds, a building was constructed and thus was born the Ramanathan Hindu Ladies College in Colombo, which has now around 1250 students.

During the tragic events of July 1983, the School provided shelter to many who flocked it seeking refuge. Mr. Sangaralingem, the Principal of the school at that time and his colleagues ran the refugee camp. There was no funding or help from the government for the first two weeks. It was only after a visit by Mr. Ranil Wickramsinghe, the Minister of Education then, that assistance was received.

Over the years, with the help in the form of donations from philanthropists, well wishers, past students and the assistance provided by the Ministries of Education and Religious Affairs of successive governments, many blocks of buildings, including a Vinayagar temple, were added. The latest is the Golden Jubilee Block, which was donated by the old boys of the school resident in London, Canada, and America. The foundation stone of this building was laid by the former principal Mr. Sangaralingam as desired by the old boys and teachers and the present principal Mr. T. Muthukumarasamy declared it open in February 2002. The school which has been accorded recognition as the first Tamil National School in 1991, has now about 4000 students and enjoys a unique position in the country producing thousands of students excelling in various fields of education in Sri Lanka and elsewhere worldwide. It also plays a significant role in the life of our community in Colombo and neighbouring areas.

The commemoration of the Golden Jubilee of the Hindu college, Colombo is a matter of great pride and satisfaction as it continues to serve the purpose envisaged by the founding fathers 50 years ago. Our thanks are due to all those who helped in accomplishing this mission. May God bless them all.

Mridanga Arangetram of Thivyan



The Mridanga Arangetram of my fourteen year old grandson Thivyan, son of Mr. & Mrs Thayaparan of Twickenham, London and pupil of Sri K.S.Bhavani Shankar and later of Sri M. Balachandar, resident Mridangam teacher at the Bharatiya Vidya Bhavan, took place at Beck Theatre, Hayes on 12th May 2002 before a large gathering of relatives, friends and music lovers. It was to the credit of Sri Balachandar that Thivyan was the ninth student presented by him from the Bhavan.

The vocalists were the melodious Sangeetha Vidwan Smt Saraswathi Packiyarasa (Thivyan's grandma) and Sangeetha Vidwan Smt Jayanthi Sivanandan who had come all the way

from Kuwait to sing for her nephew. The other artistes of the orchestra were Sri Balu Raguraman - Violin, Sri M. Balachandar - Kanjira, Sri R.N. Prakash - Ghatam, Sri K. Sithamparanathan - Muharsing and Selvi Kavitha Parameswara - Thambura. A welcome feature of the arangetram was the Kanjira accompaniment of Guru Balachandar with his captivating smile which gave added confidence to his student. The very competent compering was done by the versatile Sri Wimal Sockanathan.

The performance commenced with the welcome address by eleven year old Dhanusha, sister of Thivyan. He played confidently and the Varnam, Pancharatnam, Ragam Tanam Pallavi and Thillana were outstanding.

The Chief Guest Sri Karaikkudi Krishnamoorthy in his witty and humorous speech praised Thivyan for performing with dedication, devotion and discipline and at the same time complimented his Guru for nurturing and producing a young prodigy with his unwavering patience and encouragement in teaching this divine art. He spoke very highly of Thivyan's grandma and said that she was the driving force in the success of the Arangetram. He also spoke highly of the accompanying artistes, who had contributed in no small measure towards the success of the event. The Guest of Honour, Dr. M.N. Nandakumara, Executive Director of the Bharata Vidya Bhavan complimented Thivyan on his performance and wished him all success in the future.

The evening's programme would have not been possible without the hard work and encouragement of his parents who had to labour hard to enable him to attend lessons regularly and make frantic efforts to have a successful function. My grandson's performance exceeded all my expectations as he went through the Arangetram with confidence, enthusiasm and without any stage fright. It is my earnest hope and prayer that while devoting a major part of his time for his studies and sports- he plays rugger, cricket and soccer for his school- he would devote a part of his time to learn more of the intricacies of playing the Mridangam and give performances as well, without giving it up under the mistaken notion that his Arangetam had brought an end to all his interest in music. I am confident that if he takes my genuine advice, he can one day turn out to be a Mridangan Vidwan like his Guru.

The vote of thanks by Thivyan brought the proceedings came to a happy close.

M. Balasundram (Paternal Paatta)

Bharatanatya Arangetram of Nivethitha

On 21st April 2002 the stage of Beck Theatre, Hayes Middlesex, charmingly decorated with flowers was ready for the Bharatanatya Arangetram of Miss Nivethitha Thayakaran. Nivethitha has studied Bharatanatiyam, Karnatic Vocal and Vina at the Bharata Vidya Bhavan since she was young, always with dedication and devotion. A large audience was present to witness the culmination of her hard work in this her 'ascending the stage'. Bhavan's teachers Smt. Sivasakthi Sivanesan - Vocal, her Guru Sri. Prakash Yadagudde - Nattuvangam, Sri. M.Balachandar - Mridangam and Sri. Balu Raghuraman and a friend of the Bhavan Sri. P.Gnanavarathan - Flute were her accompanists.

The programme opened with Pushpanj ah, an offering of flowers to Lord Nataraj a in Raga Gambhiranata, Tala Adi seeking the essential blessings of her Guru and the musicians, followed by a Sloka in praise of Lord Ganesa, whose majestic, swaying presence was beautifully evoked by the dancer. The pure dance Alarippu in Raga Nata, Tala Tisva Eka, beginning with the tiniest movements of the face, head, neck and shoulders and gradually extending to the body did indeed suggest the gradual opening of the petals of a flower. The Jathisvaram in Ragamalika and Talamalika with its varied rhythmic patterns showed Nivethitha's very neat and accurate footwork and excellent sense of rhythm.

The Sabdam in Ragamalika, Misra Chapu Tala described the pranks of the young Krishna. These favourite stories were delightfully brought to life as Nivethitha showed us the mischievous tip-toeing or jumping to steal the butter or tease the gopis beguilingly playing the flute- and we could hear its haunting notes- her large eyes and abhinaya expressing the fascination, exasperation and tender love with which the divine child is surrounded.

The main piece of the evening was the Navarasa Varnam 'Angayakanni' composed in Ragamalika and Adi Tala by Sri Lalgudi G.Jayaraman. The composition demands tremendous power and stamina as the dancer portrays all the nine emotions, rasas, of the goddess Minakshi from her miraculous childhood and her warrior days to her transformation, through her love of Lord Siva, to her full compassionate beauty and passionless power. Nivethitha's understanding and portrayal of the emotions and of the beauty, compassion and terrifying aspect of this great goddess were outstanding. The setting in Ragamalika, unusual for a Padavarnam was particularly moving affectively sung by Smt Sivasakthi Sivanesan

After the interval Nivethitha presented the Patham "Enna Thavam" in Raga Kapi, Tala Adi. This lyrical description of Yasodha, foster mother of baby Krishna was beautifully, expressively and tenderly performed, emphasising the lightness and grace of the dancer's movements and the skill of her abhinaya. A second Padam" Mattu Nagar" in Raga Desh, Tala Adi by Sri Yalppanam N. Veeramani Iyer again allowed us to see this young dancer's power of expression and lyrical grace. The subject of this Padam was close to her heart.

Dr. M. Balamurali Krishna's Tillana in Raga Brindavani, Tala Adi brought the performance to a final climax of speed, fluid movement and an unfailing sense of rhythm. Nivethitha has been splendidly accompanied by her musicians and Ms Vena Ramphal who both compered and gave an address. Dr. John Marr, Chief Guest and Dr. M. Nandakumara paid their tribute to the dancer, her musicians and to the devotion of her parents Mr. & Mrs. Thayakaran in nurturing both their daughter's love for dance and the arts and culture of India.

Nivethitha takes with her to university our blessings and best wishes and our hope we will still often see her dancing at the Bhavan.

Wendy Maar

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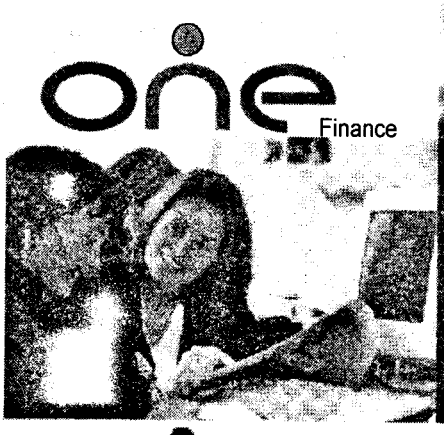

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